



सत्यमेव जयते

RAJEEV CHANDRASEKHAR
MEMBER OF PARLIAMENT
RAJYA SABHA

Member of Standing Committee on Defence
Member of Consultative Committee on Finance
Member of Central Advisory Committee for the National Cadet Corps
Co-Chairman, District Development Coordination & Monitoring Committee, Bengaluru Urban District

March 20, 2017

Dear Justice Vishwanatha Shetty,

Sub: Request for initiating *suo motu* proceedings under the Karnataka Lokayukta Act, 1984 against culpable and errant public servants, including ministers and bureaucrats, in relation to the corrupt practices pertaining to the hitherto proposed Steel Flyover Project.

Ref: Representation dated February 16, 2017 made to the Hon'ble Lokayukta and the Hon'ble Upa Lokayuktas.

I invite your kind attention to the detailed representation made by me on February 16, 2017 regarding the various illegalities committed by the government and the errant public servants, including ministers and bureaucrats, in relation to the hitherto proposed Steel Flyover Project.

Various events that have unfolded subsequent to my representation dated February 16, 2017, have further fortified and accentuated my position that the Steel Flyover Project has been ridden with corruption and suffer not just from lack of transparency but also from glaring environmental intrusion. The averments in my representation regarding public disclosures that were available to support the fact that a Member of the Karnataka Legislative Council was used as a conduit for payment of hundreds of crores of rupees as illegal gratification, has been further buttressed by the subsequent explosion of revelations in the national and regional print and electronic media.

On March 02, 2017, even as my representation was under consideration by you, the Government of Karnataka through the Minister for Bengaluru Development and Town Planning, announced that the Steel Flyover Project would be shelved. The ostensible reason for shelving the project was that the various allegations of corruption that were made in the national and regional media, have forced the government to prove its sincerity by doing so.

It is apparent that the government has shelved the Steel Flyover Project, in an attempt to cover up its misdeeds and ring fence itself from the consequences of corruption. Shelving the project does not enable the government to "prove its sincerity". The only thing it attempts to do, is to distract public attention from the plethora of incriminating evidence of



corruption relating to the Project that has surfaced in public domain. Also, one fails to understand the reason as to why the Government of Karnataka, that has remained so adamant in implementing the project in the face of massive protests by citizens, suddenly decided to shelve the project. The only reason attributable to such conduct appears to be that there is not even a modicum of defence available with the government and the public servants, including ministers and bureaucrats, against the barrage of incriminating material in public domain.

My position regarding the Steel Flyover Project's glaring environmental intrusion has been further bolstered by the subsequent declaration issued by the Hon'ble National Green Tribunal (NGT). By its order dated March 13, 2017, in Application Nos. 243 and 245 of 2016, the NGT has declared that the Steel Flyover Project, as contemplated by the government, was environmentally intrusive and contrary to law, inasmuch as being in direct contradiction to the provisions of the Environment (Protection) Act, 1986 and the Environment Clearance Regulations, 2006.

It is appalling that the Bangalore Development Authority (BDA), which was responsible for the implementation of the project, proceeded with it despite the project's glaring illegalities being repeatedly brought to its notice by civil society. The officers of BDA including its Commissioner are guilty of misfeasance, inasmuch as they abdicated their duties and responsibilities and dovetailed their actions to the political decision to implement the Steel Flyover Project, which political decision itself was influenced by deep-rooted corruption.

Further, misfeasance is also apparent in the conduct of the State Environment Impact Assessment Agency ('SEIAA'). The environmental intrusiveness and legal compliance of infrastructure projects in the State ought to have been independently examined by SEIAA, in its capacity as the nodal environmental regulator. With regard to Steel Flyover Project, the officers at the SEIAA not only miserably failed to identify the various illegalities, but also proceeded to provide the project a clean chit, by dovetailing their decisions to those of the BDA. These glaring illegalities committed by the officials of SEIAA and BDA have been recorded in the order of the NGT dated March 13, 2017, a copy of which is enclosed herewith for your immediate perusal.

The further disclosures that have been made in public domain subsequent to my representation dated February 16, 2017; and the final order issued by the NGT on March 13, 2017, contain material of stellar quality and unimpeachable integrity that proves the various illegalities surrounding the Steel Flyover Project and the culpability of bureaucrats and politicians.



I therefore respectfully urge you to initiate a detailed inquiry into the various aspects surrounding the project, so as to ensure that those guilty of corruption are brought to justice. A detailed inquiry is imperative now than ever before. Your timely initiation of a detailed inquiry will help enforce the Rule of Law and uphold the Majesty of Law.

Jai Hind!

Yours sincerely,

Sd/-

RAJEEV CHANDRASEKHAR

Hon'ble Mr Justice P Vishwanatha Shetty
Karnataka Lokayukta
MS Building, Dr Ambedkar Veedhi
Bengaluru

Copy to:

1. Hon'ble Shri Justice Subhash B. Adi, Karnataka UpaLokayukta, MS Building, Dr. Ambedkar Veedhi, Bengaluru 560 001
2. Hon'ble Shri Justice N Anand, Karnataka UpaLoyaukta, MS Building, Dr. Ambedkar Veedhi, Bengaluru 560 001
3. The Registrar, Karnataka Loyaukta, Office of the Lokayukta, MS Building, Dr. Ambedkar Veedhi, Bengaluru 560 001

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