

W.P. No. 46523/2012

UNDER WRIT ORIGINAL JURISDICTION

Between :

Environment Support Group and others

Petitioners

And:

Bruhat Bengaluru Mahanagara Palike and others

Respondents

Memo

The 2nd Petitioner respectfully submits as follows:

1. In pursuance of this Hon'ble Court's directions in the aforesaid matter, the South Western Railways approached this Petitioner with a request to assist in salvaging a serious problem that they are encountering: Bangalore's garbage being dumped on the Railway tracks running with Bangalore city causing unfathomable hardship in maintenance of Railway tracks, potentially exposing Railway workers and passengers to serious risks.
2. This Petitioner had the opportunity of meeting with Mr. Anil Kumar Agarwal, Divisional Railway Manager and Mr. Sandeep Mehra, Asst. Divisional Railway Manager of the South Western Railway along with their associate staff on 24th May 2013. From this meeting this Petitioner has learned that there is extensive dumping of garbage from the city all along the railway tracks of Bangalore, and this problem has intensified over the past year. The Railways management has repeatedly brought this matter to the attention of the Respondent Bruhat Bengaluru Mahanagara Palike, but there has been no improvement. As a consequence of the dumping, the Railways report that:
 - a) Track maintenance is being severely hampered
 - b) The garbage dumped is causing severe corrosion of rails and fittings leading to rail/weld fractures
 - c) Such frequent trespassing by public and others who are dumping on the tracks is resulting in disturbances to the ballast which may lead to buckling

d) The garbage disposed on tracks is resulting in water stagnation which adversely affects the settlement of the track and causes development of unevenness in track.

e) This is endangering the safe movement of the trains, and thus the passengers

f) Consequently it is increasing the costs of track maintenance while also increasing the risk to workers engaged in this daily effort

g) Besides this is resulting in a serious public health hazard, especially to track maintenance staff and to passengers.

3. In evidence of the damage that is caused by such dumping of garbage, this Petitioner produces a set of pictures that have been taken by the Railways staff on the Banaswadi-Hebbal Line, and the same is annexed at **Annexure A**. It is reported by the Railways management that the situation is equally bad or worse along the Bangalore-Yeshwantpur and Bangalore-Kengeri Lines.

4. The Petitioner respectfully prays this Hon'ble Court to issue appropriate direction to remedy this situation.

Date: 27th May 2013

Bangalore

2nd Petitioner

(Party in Person)

Annexure A



