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KSPCB shuts down Ramky's SWM Landfill at Mavallipura

In a landmark decision, Mr. A. S. Sadashivaiah, IFS (Retd.), Chairman, Karnataka State Pollution Control Board, has directed the Commissioner of the Bruhat Bengaluru Mahanagara Palike (BBMP, Bangalore's city corporation) and the private operator of the city's major landfill, Ramky Infrastructure Pvt. Ltd., to immediately stop receiving waste into the facility at Mavallipura. Invoking its powers to so direct under the Environment Protection Act, 1986 the Board has also instructed the operator Ramky to ***“process the accumulated waste completely for composting within 3 months in a scientific manner without causing eye sore to the public and health/Environmental hazard”***. The unprocessed refuse from the accumulated waste would have to be transported by BBMP to another landfill site at Mandur for scientific disposal. The Board has threatened that it would initiate penal action against the BBMP as per the Environment Protection Act, if this direction is not complied with.



This decision comes as a major relief to communities in at least 12 villages just north of Bangalore near Yelahanka who have been dumped by Bangalore's waste for close to a decade. Every day, since 2007, upto 1000 tonnes of solid waste generated in Bangalore (about a third of the total waste the city generates) is transported to the 48 acres 'scientific landfill' Ramky operates, an area that was village commons and grazing pastures. Ramky which was to process these wastes based on various clearance conditions, has comprehensively failed to comply with any of the norms. Instead, it merely resorted to digging massive pits (over 40 feet deep and several acres across) to dump waste. As it now exists, unprocessed waste towers over these pits as massive hillocks.

There is no charity in what Ramky does. The company is paid approx. Rs. 300/- for every truck of waste that it receives from the city. In a year such revenue accumulates to crores of Rupees. More the waste received, more money Ramky makes. But it appears that none of this income has been invested in the upkeep of the facility and environmental safeguards. It cannot be helped if the question arises whether Ramky could possibly have parcelled away these revenues to its other ventures. Recently, a massive high end real-estate development in Bangalore was launched by Ramky by issuing nation-wide front page advertisements in major dailies.

Earlier another landfill was illegally allowed to operate over 32 acres of forest land at Mavallipura and forced to shut down due to resistance from local communities. Cumulatively, waste dumped over the years in these two landfills exceeds 15,00,000 tonnes. The highly toxic leachates that ooze out flow into local wells, streams and lakes without any treatment whatsoever causing extensive damage to health and environment. All this has resulted in terrible pollution causing high levels of morbidity in affected communities. Many have died of cancer, renal failure, dengue, and gastro-intestinal disorders due to the pollution that has resulted. Three men have died in Mavallipura alone over the past three months due to kidney failure, asthma and jaundice, all of them living in close proximity of the landfill, and who, otherwise, were known to be very healthy. Children, women and elderly, are constantly reporting sick with a variety of chronic and infectious diseases. Morbidity levels in sheep and cattle is also extremely high, as they end up drinking the contaminated waters from streams and lakes. Packs of dogs are attracted to this waste, which includes biomedical waste which is illegally dumped, and quite frequently turn their wild group instincts attacking cattle and sheep that graze in the



pastures around the landfill, and sometimes on children in the villages.

Local communities under the guidance of the Dalit Sangarsh Samithi (Samyojaka) and ESG have over the years consistently struggled to shut down this landfill. This demand is supported by the fact that Ramky facility was approved in gross violation of the Municipal Solid Waste Management Rules, 2000 and other applicable norms, and is currently operating without any clearance. The landfill is also within the Arkavathy River basin, a major drinking water source for Bangalore, and just 5 kms away from the Air Force Base Yelahanka, host to the prestigious Aero India Show every year, which the city now stands to lose.



Mavallipura landfill attracts scavenging birds by the hundreds and thus seriously compromises aviation safety. According to highly placed sources, 11 of the 55 training aircraft at the Yelahanka Defense Training Base have suffered from bird hits in the past year alone. There have also been in recent years air accidents resulting in deaths of Air Force pilots at the base. The Bangalore International Airport is less than 20 kms away from the landfill, and is currently expanding by adding a second runway. This would intensify air traffic in this region and thus increase the risk of air accidents due to bird hits. Despite such serious threats to defense and aviation safety, the Karnataka Government and the Defense Ministry have adopted a cavalier attitude, tolerating the landfill and exposing defense personnel and local communities to unnecessary risks.

Considering such gross failures on the part of BBMP and Ramky, KSPCB had issued a 7 days notice of closure in August 2011.

But as the Board's current direction indicates "BBMP or Operator has not taken any action to furnish short term action plan so far and not stopped receiving ..waste, even (when) the facility provided at the said site (is) not made adequate for scientific treatment". Pointing out that the facility has been operating despite expiry of approval on 31 December 2010, and the fact that "KSPCB has given enough opportunities to BBMP and its operator to take suitable steps/actions, in spite of which there is no compliance", the Chairman decided that he has "no other option" but to direct the BBMP and its operator to stop the facility from handling waste as per Section 5 of the Environment Protection Act, 1986 read with Section 15, 16, 17 and per Rule 6 of the Municipal Solid Waste Management Rules 2000.



This direction constitutes a significant step forward in the environmental regulatory history of India, as the KSPCB has proven that the law has sufficient teeth to hold polluters accountable. Such action also draws support from various directions of the Supreme Court that has repeatedly upheld the Polluter Pays Principle as a key instrument to stop environmental pollution in India.

The people of Mavallipura and other affected villages will continue monitoring the implementation of this decision and are resolved to not rest until the entire area is decontaminated, those affected appropriately compensated and polluters prosecuted.

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Encl.: Copy of the KSPCB Direction dated 11 July 2012

Background information:

ESG has produced comprehensive reports of the environmental and social impacts, and illegalities relating to the Ramky run landfill facilities at Mavallipura, and this may be accessed at: <http://esgindia.org/campaigns/mavallipura/resources/index.html>