

High Court of Karnataka
Daily Orders of the Case Number : WP 24739/2012 for the date of order 06/11/2012

Accessible at:

<http://causelist.kar.nic.in/detorder.asp?bench=B&caseno=24739&caseyear=2012&casetype=WP&doo=06/11/2012>

Honble Justice VIKRAMAJIT SEN (CJ) AND
B.V.NAGARATHNA
06/11/2012

Order in WP 24739/2012

Present: In WP Nos.24739-24740/2012:

Sri Ajesh Kumar S, Adv. for DSK Legal,
Adv. for petitioners.
Sri R.Devdas, AGA for R1.
Sri K.N.Puttegowda, Adv. for R2.
Sri D.Nagaraj, Adv. for R21

In WP No.30450/2012:

Sri G.R.Mohan, Petitioner-party-in-person.
Sri R.Devdas, AGA for R1.
Sri K.N.Puttegowda, Adv. for R2.
Sri G.S.Kannur, Adv. for R3.
Smt. Gayathri Balu, Adv. for M/s.Khaitan & Co.,
Adv. for R4.

Sri Rajaneesh Goel, Commissioner, Bruhath Bangalore
Mahanagara Palike.
Smt.Nalini Shekar, Hasirudala Co-Founder
Sri Anslem Rosario, Hasirudala Co-Founder.

It is a matter of concern that the Government has, as yet not looked into the problem that Bangaloreans are being afflicted by despite these proceedings. It is obvious that more sites are required for receiving waste generated in the Metropolis.

Sri Devdas, learned AGA is directed to obtain instructions of locations of atleast five sites in different directions of

Bangalore for receiving the waste forthwith. Instructions in this regard be obtained forthwith. The Government will co-ordinate with the Pollution Control Board and the concerned Departments & Agencies with a view to remove all objections with regard to the location of these sites. For example, we are informed that Mavallipura site which was closed down in July 2012 has been opened in October 2012 oblivious to the objections of Indian Air Force that the site is located within 10 kilometers from Air-base and therefore, responsible for the occurrence of Bird hits causing immense national loss in the form of Pilots as well as Aircrafts. Needless to state that they shall conform to provisions of MSW Rules.

There is divergent opinion as to whether the residents around Mandur are permitting garbage generated in Bangalore to be dumped in Mandur Site. Existing Contractors state that their 70 vehicles have been damaged by protesters at Mandur and one vehicle has been completely destroyed. We understand that the residents are objecting to garbage being dumped in Mandur for the reason that the Buffer Zone which was within the Plans has not been adhered to as we are informed that of the 130 acres, sizable acreage has been diverted for the layout. Status-report in this regard also be filed by the learned AGA before the next date of hearing.

Karnataka Compost Development Corporation to file a status-report within one week from today. Sri Devdas, learned AGA is directed to take notice on behalf of the said Corporation. Managing Director of Karnataka Compost Development Corporation to be personally present in the Court on the next date of hearing.

So far as the contracts which are in the pipeline and have been approved by the Bruhath Bangalore Mahanagara Palike, subject to clearance by the Government, decision be taken within a maximum period of two weeks by the State Government. This is without prejudice to the rights of any party which opposes to the grant of a fresh contract. It is also disconcerting that a small issue of fixing a realistic

fine for wrongful disposal of garbage/failure to segregate, has not been deliberated by the Government till date. We expect a decision be taken in this regard within two weeks from today.

The Secretary, Urban Development Department also to be personally present on the next date of hearing.

List on 20.11.2012.

Copy of this order be furnished to the parties under the signature of the Court Officer attached to this Court.