

High Court of Karnataka
Daily Orders of the Case Number : WP 24739/2012 for the date of order 20/09/2012

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Honble Justice VIKRAMAJIT SEN (CJ) AND B.V.NAGARATHNA
20/09/2012

Order in WP 24739/2012

W.P.Nos.24739-24740/2012 c/w W.P.No.30450/2012

Present: W.P.Nos.24739-24740/2012

Mr.Ajesh Kumar .S, Advocate for M/s.DSK Legal, Advocates for the Petitioner;

Mr.R.Devdas, AGA for R-1;

Mr.K.N.Puttegowda, Advocate for R-2.

W.P.No.30450/2012

Mr.G.R.Mohan, Petitioner (Party-in-person);

Mr.R.Devdas, AGA for R-1;

Mr.K.N.Puttegowda, Advocate for R-2.

Ms.Salma K. Fahim, Additional Commissioner, BBMP and Mr.Ananthswamy, Chief Engineer (SWD), BBMP are present in Court.

The Affidavit of the Commissioner, BBMP is taken on record. However, it appears that some of the tender proposals which are to be awarded have already been cleared by the State Government, as is evident from a perusal of the Report filed on behalf of the State Government of even date. We expect that within one week, contracts which have to be awarded by the BBMP shall be so awarded.

Even with regard to the landfills, it is mandatory that the Pollution Laws be complied with by the BBMP.

We take note of the fact that the proposal of the BBMP is to collect wet waste on each day, and dry waste, presently once a week. This is to ensure that segregated waste is not mixed with each other at the time of collection and further transportation to landfill sites.

It is also noted that it is the common case of all the parties that landfills are only a temporary solution and contracts for incinerations/Plants would be finalised at the very earliest. It is for this purpose, we have directed impleadment of the Karnataka Renewable Energy Development Limited (KREDL) and asked Mr.G.S.Kannur, learned counsel to accept notice with a view to our being appraised of the latest

technology in this connection. KREDL is permitted to be impleaded in Court today. The BBMP and other Authorities shall take strict and punitive action against any violation by any citizen with the notification and norms for segregation of garbage/waste.

Before the next date of hearing, we expect that realistic penalties shall be put in place for violation of garbage disposal methods as also violation by contractors engaged in the removal of garbage from households to collection points and thereafter from collection points to landfill sites (as a temporary measure).

We are assured by learned counsel for the BBMP, on instructions from the Officers who are present in Court, that strict compliance with the norms and regulations is being carried out at the present landfill sites.

The BBMP as well as the State Government to file Status Reports one day prior to the next date of hearing.

A copy of this order be furnished to learned counsel for the parties, who are desirous of taking it, under the signature of the Court Officer attached to this Bench.

Renotify on 09.10.2012.