

High Court of Karnataka

Daily Orders of the Case Number: WP 24739/2012 for the date of order 07/08/2014

Honble Justice N.KUMAR AND

B.V.NAGARATHNA

07/08/2014

Order in WP 24739/2012

**NKJ/BVNJ: W.P. Nos.24739-740/2012,
C/W.**

7.8.2014 W.P. No.46601/2012,

W.P. No.30450/2012,

W.P. No.46523/2012,

W.P. No.48595/2013,

CCC Nos.1641-1650/2013,

W.P. Nos.36508-517/2013,

W.P. No.16052/2014,

W.P. Nos.18167-168/2014

O R D E R

**The Commissioner of Police is present along
with Additional Commissioner of Police.**

**2. The Commissioner of B.B.M.P. submits
that the Police have extended their full
support in carrying out the directions of this
Court. The Police Commissioner also
assures the Court that they have absolutely**

no difficulty in extending such support in future also.

3. On the last hearing date, we had noticed that the B.B.M.P. had to set-up 47 dry-waste processing centers. It is submitted that it has already identified 20 to 25 sites and within a short span of time they would set-up the remaining dry-waste processing centers. The status report is filed today by the B.B.M.P. stating that out of 47 dry-waste processing centers to be set-up, 18 centers have been now set-up and they have become functional and the remaining dry-waste processing centers would be set-up shortly.

4. It is submitted that in pursuance to the orders passed by this Court, Notification was issued and published with regard to vendor empanelment. In pursuance to the same, in all 79 applications for vendor empanelment have been received by the B.B.M.P.. They have constituted a Committee to scrutinise these applications. It is submitted that within a months time, the said process would be completed, and then they would take a decision in the

matter.

5. The Commissioner submits that Director, State Institute of Urban Development has been requested to arrange a programme to educate all the Corporators. Steps would be taken by them, shortly, to educate them about their responsibilities, with special emphasis on the responsibilities towards solid waste management and he seeks a months time in this regard.

6. A Memo is filed on behalf of Karnataka Compost Development Corporation Limited in W.P.Nos.24739-24740/2012. Learned counsel submits that, in principle, the Corporation has no objection for handing over the Unit to B.B.M.P. temporarily, to tide over the situation. B.B.M.P., to consider this proposal and submit their views on the next date of hearing.

7. Insofar as Mavallipura is concerned, the Commissioner submits that they are having discussion with the persons who are incidentally running a facility there and they have taken two days time to revert to

B.B.M.P. B.B.M.P. could also think of taking over the entire facility and run it themselves till the present crisis is sorted out.

8. Learned counsel for the petitioner has filed a Memo along with annexures in W.P.No.24739/2012 showing the details of contractors who have been awarded contracts and those who have violated the terms of the contract. Similarly, he has also filed a Memo setting out the orders passed insofar as contractors are concerned. Copies are served on the B.B.M.P. The Special Commissioner to respond to the same on the next hearing date.

9. Learned counsel for the petitioner proposes that in the approved layout Plan of Sy.No.45 of Devatige Ramanahalli, Kengeri Hobli, Bangalore North Taluk, (Vijayanagara), civic amenity site is earmarked and according to the terms, it should be handed over to the B.B.M.P. by Bangalore Development Authority. Therefore, both the Bangalore Development Authority and the Corporation shall take

suitable steps to take possession of the said civic amenity site and set-up a waste processing unit in that place. The Commissioner to submit on this aspect on the next date of hearing.

10. We had issued directions to the Bangalore Development Authority to earmark a civic amenity site for the purpose of setting up of solid waste processing centre. It is submitted that BMRDA and other local authorities are also empowered to sanction layouts and similar directions have to be issued to the BMRDA and the other local authorities. Therefore, BMRDA and other local authorities are directed to ensure that in all the layouts, a suitable civic amenity site is ear-marked for the aforesaid centers by taking into consideration the population of that particular area, not necessarily only of that layout but taking into consideration the catchment area, neighbourhood etc., before the plan is sanctioned. It will be the responsibility of the BMRDA and other local authorities to ensure compliance of this order and any disregard of this direction would be viewed seriously by this Court.

11. The B.B.M.P. is also directed to file a list of the local planning authorities, so that these directions could be communicated to them directly from the Court, apart from B.B.M.P. communicating the order to these authorities, for due compliance.

12. The Commissioner of B.B.M.P. shall take into consideration the complaint against Sri.C.T.Jagannath, who is one of the successful bidder. The complaint is that in the bid offered by him, he had shown the number of employees as 350 and on that basis, he is paid money. But, he has employed only 175 people as per the work order and therefore, the Corporation to verify about the veracity of this allegation and take suitable action and report to the Court by the next date of hearing.

13. The Commissioner to inform the Court about the progress made insofar as the Bio-Mining is concerned by the next date of hearing.

14. It is submitted that the arrangement of a

dry-waste collection centre under the Yeshwanthpur flyover is opposed by the BMTC as well as by a private TV channel. The Expert Committee member submits that the said place is ideally suitable and it no way affects the neighbourhood. The B.B.M.P. Commissioner to look into the matter and to ensure that the dry waste centre becomes operational at the earliest and if there is any obstruction, to take appropriate police support to ward off any such problem.

15. It is submitted that the MLA of Malleswaram area has taken the initiative and he has been closely working with the Non-Governmental Organisations dealing with waste management in the constituency. In fact, even the local Corporators have also joined hands with them. They submit that the problem is with the staff. If that bottle-neck is removed, they are sure that Malleswaram will be zero discharge ward, a model for entire Bangalore. We are sure that the MLAs as well as Corporators of other parts of Bangalore will emulate what the MLA and Corporators of Malleswaram

have done for that particular area.

List on 1.9.2014.

(N KUMAR)

JUDGE

(B V NAGARATHNA)

JUDGE

KM/mvs

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