

No. PCB/WMC/3142/MSW/NGT/2021

1842

Date:

09 MAY 2022

Note

Sub.: Uploading Proceedings of State Level Committee Meeting (Constituted as per Hon'ble NGT, Principal Bench, New Delhi Order O.A. No. 606/2018) held on 09.03.2022

Please upload the enclosed proceedings cited in subject on Board's website.

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**SENIOR ENVIORNMENTAL OFFICER
WASTE MANAGEMENT CELL**

To

Senior Environmental Officer
E-governance Cell
KSPCB, Bengaluru





No. PCB/WMC/3142/MSW/NGT/2021/ 718

Date: 04 MAY 2022

PROCEEDINGS OF THE STATE LEVEL COMMITTEE (SLC) (Constituted as per ರವಾನಿಸಲಾಗಿದೆ
Hon'ble NGT, Principal Bench, New Delhi Order O.A. No. 606/2018.) HELD ON
09.03.2022, AT 3rd FLOOR, PARISARA BHAVANA, 49, CHURCH STREET,
BENGALURU, 560001 UNDER THE CHAIRMANSHIP OF JUSTICE SUBHASH. B.
ADI CHAIRMAN, STATE LEVEL COMMITTEE CONSTITUTED BY NGT

Sub.: Noncompliance of the direction issued in meeting held on 30.11.2019

Preamble :

In exercise of power conferred under the provision of Environment Protection Act 1986 the central Government notified the Solid Waste Management Rules 2016 (SWM Rules) under which time schedule was prescribed for compliance of SWM Rules by all the local bodies of respective state and union territory. Despite of National level, Regional level, state level monitoring committees were constituted for effective compliance of the directions issued by the Hon'ble Supreme Court in PIL, Supreme Court did not find much progress. Thus the Hon'ble Supreme court found it appropriate that for control and protecting of environment the matter could be better considered by the special tribunal constituted in the name and style as "National Green Tribunal" (NGT). Accordingly it referred the PIL matter to NGT for better monitoring.

It is in pursuance of the reference made by the Supreme Court, the NGT after series of hearing and monitoring NGT found necessity to constitute state level committee for effective implementation of the SWM Rules by the respective States as well as Union territories. Accordingly NGT by its order dated 16th January 2019 in O.A. 606/2018 constituted State Level Committee for each state (in short referred as SLC) headed by former Judge of the High Court and directed State Level Committee to effectively monitor the implementation of SWM Rules in their respective States and also directed to convene the first meeting of the committee on or before 15 February 2019.



Go Green !

Save Earth !!

If not today !!!

Then never tomorrow !!!!



The state government in pursuance of the order NGT referred to above issued notification dated 13th February 2019 notifying the constitution of SLC. In view of requirement to comply with the direction issued by the NGT referred to above the first meet of state level monitoring committee was convened 14th February 2019. Since then, state level committee has been reviewing and monitoring the implementation of SWM rules in Karnataka by conducting periodical review meeting and inspection. However due to pandemic COVID - 19 during 2020 and 2021 very few review meetings were held subject to complying with all of Covid-19 protocol.

This meeting was convened based on complaint of the residents of Sir. M.Vishveshvaraiiah layout NGT-SLC had convened earlier conducted the meeting i.e. the 1st meeting with BBMP, BDA & BWSSB on 24.10.2019.

The meeting was again held on 30.11.2019 and following directions were given:

1. The BDA & BWSSB is directed to give joint letter for ensuring the effective management of solid waste and proper sewage treatment & disposal
2. The BBMP to take immediate steps for managing the solid waste effectively in the said layout & nominal service fee collected from BDA
3. The Chairman, BWSSSB & Commissioner, BDA and BBMP to ensure Interdepartmental coordination and submit comprehensive plan of action and action taken report to comply with the SWM Rules.
4. The BWSSB & BDA comes under the terminology of "Service Provider" as per the C&D Waste Management Rules, 2016 notified by MoEF&CC, GoI. The authorities need to ensure that all the projects under taken by them adhered to the above mentioned rules and in consonance with Hon'ble NGT directions for proper disposal of the C&D waste.
5. The authorities need to incorporate a clause in the tender document which will mandate the use of processed C & D Waste in the upcoming projects which will be responsibility of the contractor and also for proper management of C&D waste as per the C&D Waste Management Rules, 2016.
6. The service providers be adhered to standard specifications prescribed by IRC (Indian Road Congress) & CPWD for effective use of C&D waste in its projects.



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In response to the proceedings of said meeting held on 30.11.2019 a reply by BBMP vide letter dated 28.01.2022 was received, the gist of contents of letter is summarized below:

1. Direction was given on 30/11/2019 to collect SWM fees from BDA. The waste is being managed by the BBMP in the said layout from March 2020.
2. The expenditure incurred by BBMP Rs. 49,88,131/- (Rupees Forty Nine Lakh Eighty Eight Thousand One Hundred & Thirty One only) a requested was made for reimbursement from BDA.
3. In response BDA requested for detailed bill vide letter dt.23.03.2021 and hence the details was furnished vide letter Dt. 16.04.2021
4. As per the proceedings of meeting held on 20.02.2021 under the Chairmanship of Hon'ble Chairman, SLC, direction was given to BDA to make payment to BBMP towards the cost of collecting the solid waste until BDA hands over layout fully developed by them to Gram Panchayat or BBMP. Expenditure of Rs.15,07,300/- is incurred to collect waste from January 2021 to December 2021 by the BBMP.
5. Again a request was made by BBMP to reimburse cumulative amount of Rs. 64,95,431/- (Rupees sixty four lakhs ninety five thousand and four hundred thirty one only) as per the direction given by Hon'ble SLC chairman. But BDA has failed to reimburse the same.
6. On 20.02.2021 in SLC meeting a direction was issued to make a three party Memorandum of Understanding (MoU) i.e. BBMP, BDA and concerned Gram Panchayat.
7. In spite of several telephonic request to BDA and Sulikere Gram Panchayat, MoU has not materialized

Hence this review meeting was held on 11.04.2022. Para the said review meeting was Chaired by The Hon'ble Chairman, SLC-NGT and attended by following officials.

Sl. No.	Name of the Officers	Designation
1.	Sri. Srinivasulu. IFS	Member Secretary, KSPCB
2.	Sri. Sangappa. IAS	CEO, Zilla Panchayat, Bengaluru Urban
3.	Sri. Ramesha D Naik	Senior Environmental Officer, Waste Management Cell (WMC),KSPCB
4.	Sri. K.N Paramesh	Additional Chief Engineer, Waste Water Management, BWSSB
5.	Sri. G Mahadevegowada	Additional Chief Engineer, BWSSB
6.	Sri. B.A Shivananda	Superintendent Engineer, BDA, Bengaluru



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7.	Sri. K Ranga Swamy	Project Director, District Urban Development Cell, Bengaluru Urban District
8.	Sri. Ramesha. C	Environmental Officer(EO), WMC, KSPCB
9.	Sri. Dinesh	Regional Officer, KSPCB, R.R. Nagar
10.	Sri. Nagaraju	Project Development Officer (PDO), Sulikere Grama Panchayat, Bengaluru South
11.	Sri. Satish Reddy	Executive Engineer, BWSSB
12.	Sri. R. Somashekar	Assistant Executive Engineer (AEE), West Subway, BDA
13.	Sri. Manjunath. J	AEE, West Subway, BDA
14.	Sri. Naveen	Assistant Engineer, BDA, West
15.	Smt. Nagaveni	EO, Bengaluru South Taluk Panchayat
16.	Sri. D.S Gowda	President, Sir M.Vishweshwaraya Layout 1 to 9 Blocks
17.	Sri. Range Gowda	Secretary, Sir M.Vishweshwaraya Layout
18.	Sri. Lokanath M.Shetty	Joint Secretary, Sir M.Vishweshwaraya Layout
19.	Sri. Deenadayalu	Treasurer, Sir M.Vishweshwaraya Layout

Proceedings

Though the issue directly related to the BBMP and meeting was convened on the basis of their letter still there was no representation from the BBMP.

As per request of Hon'ble Chairman of SLC the officials present in the meeting introduced themselves.

The following detail and issues was brought to notice of Hon'ble Chairman.

1. Three layout are being developed by Zilla Panchayat and eight layout are being developed by BDA
2. BDA is responsible for solid waste management and sewage management
3. Entry of sewage to Komghatta lake and Ullala Lake is not still arrested
4. No underground drainage is provided by Village Panchayat. The sewage is directly discharging to the lake.
5. Every private developer has to make arrangement for sewage management.
6. Waste water generated by M/s. Ashok Layland Ltd., is entering Bengaluru Rural District

After detailed deliberation the Hon'ble chairman gave following directions

1. Project Director, Deputy Commissioner's Office, Bengaluru Urban; BDA, Zilla Panchayat to provide details of layout developed by them as well as private developers. Zilla Panchayth to give details of tax collected by BDA from layout developed in village



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- panchayats area (**Action:** Project Director, Deputy Commissioner's Office, Bengaluru Urban; BDA; Zilla Panchayath, Bengaluru Urban, **Action by:** Within 10 days from date of meeting).
2. KSPCB to depute a team headed by Chief Environmental Officer to verify compliance to The SWM Rules, 2016 and issue of water pollution after receipt of details from Project Director, Deputy Commissioner's Office, Bengaluru Urban; BDA; Zilla Panchayath, Bengaluru Urban (**Action:** KSPCB, **Action by:** 10 days from receipt of details).
 3. BDA to pay BBMP what is due to them in accordance with demand raised by BBMP towards the solid waste management service rendered by BBMP in respect layout developed by BDA and not handed over to BBMP (**Action:** BDA, **Action by:** Within 10 days from date of meeting).
 4. Zilla Panchayth shall lodge complaint before the Hon'ble NGT regarding pollution caused by M/s. Ashok Layland Ltd., which is situated in Tamil Nadu (**Action:** Zilla Panchayat, **Action by:** Within 30 days from date of meeting).
 5. Deputy Commissioner to convey District Level Special Task Force (DLSTF) to review the the progress made in solid waste management(**Action:** Deputy Commissioners, Bengaluru Urban, **Action by:** Within 30 days from date of meeting).

With these and other observation and direction the meeting got concluded –awaiting the action taken report.

Sd/-
Justice Subhash. B. Adi
Chairman, State Level Committee
Constituted by NGT

Note : All Communications with respect to SLC Constituted as per Hon'ble NGT Order in the matter of O.A. No. 606/2018 shall be addressed to Hon'ble Chairman, State Level Committee(Constituted as per Hobn'ble NGT Order in the matter of O.A. No. 606/2018), 2nd Floor, Parisara Bhavana, 49, Church Street, Bengaluru – 560001

A copy of the communication submitted to Hon'ble Chairman shall be marked to Member Convener(SLC Constituted as per Hobn'ble NGT Order in the matter of O.A. No. 606/2018) and Member Secretary, Karnataka State Pollution Control Board, 5th Floor, Parisara Bhavana, 49, Church Strèet, Bengaluru – 560001


RAMESH D. NAIK
SEO - WMC
KSPCB



To

Deputy Commissioner, Bengaluru Urban, Kempegowda Road, Behind Kandaya Bhavana, Bengaluru Urban District Bengaluru- 560009

Chief Executive Officer, Zilla Panchayat, Bengaluru Urban, S Kariappa Road, Banashankari (Near Banashankari Temple), Bangalore - 560050

Special Commissioner, Bruhath Bengaluru Mahanagara Palike, Rajarajeshwari Nagar Zone, Ideal Homes, 18th Cross, Rajarajeshwari Nagara, Bengaluru - 560 098

The Chairman, Cauvery Bhavan, Bangalore Water Supply and Sewerage Board, 2ndFloor, K G Road, Bengaluru, Karnataka- 560009

The Commissioner, Bangalore Development Authority, No.7, 5th Main Road, Kumara Park West, Bengaluru – 560020

Senior Environmental Officer, Karnataka State Pollution Control Board, Bengaluru South “Nisarga Bhavan”, 3rd Floor, Thimmaiah Road, Bengaluru-560 010

The Regional Officer, Karnataka State Pollution Control Board, Rajarajeshwari Nagar Region, Second Floor ,Nisarga Bhavan, Thimmaiah Main Road, 7th 'D' Main, 3rd Stage , 2nd Block, Shivanagar, Opp Pushpanjali Theatre, Basaveshwaranagar, Bengaluru-560 0790

The President, Sir M Vishveswaraiah Layout Welfare Association

Address 1: No.536, 3rd Block Sir M Vishveswaraiah, Layout Ullala Main Road, Bengaluru 560 110

Address 2: The President, Sir M Vishveswaraiah Layout Welfare Assn (R), 3rd Block, 437, 3rd Block, Maruthi Nagar, Sir M Vishveswaraiah Layout, Jnana Ganga Nagar, Ullal, Bengaluru- 560 110

Copy Submitted to:

Additional Chief Secretary to Government, Urban Development Department, Room No. 436, Vikasa Soudha, Bengaluru for Information and requested to depute an officer for the meeting

Principle Secretary to Govt. of Karnataka, Department of Health and Family Welfare # 105, 1 floor, Vikasa Soudha, Bengaluru -560001 for information and requested to depute an officer for the meeting

Principal Secretary to Government (Environmental & Ecology). Forest, Environment and Ecology Department, Karnataka Government Secretariat, Room No. 708, 7th Floor, Gate No. 4, M.S Building, Bengaluru -560001 for information and requested to depute an officer for the meeting



Principal Secretary to Government Rural Development and Panchayath Raj Department 3rd Gate
3rd floor MS Building Bengaluru -560001 for information and requested to depute an officer for
the meeting

Regional Director, Central Pollution Control Board, Nisarga Bhavan, Thimmaiah Road, 2nd Main
Rd, Shivanagar, Basaveshwar Nagar, Bengaluru, 560079 for information and requested to depute
an officer for the meeting

