



No. PCB/WMC/3142/MSW/NGT/2021/ 386

Date: 10 FEB 2022

PROCEEDINGS OF THE STATE LEVEL COMMITTEE (SLC) (Constituted as per Hon'ble NGT, Principal Bench, New Delhi Order O.A. No. 606/2018.) HELD ON 04.01.2022, AT 2nd FLOOR, PARISARA BHAVANA, 49, CHURCH STREET, BENGALURU-560001.

Sub.: Non-compliance of the direction issued in meeting held on dt. 22.7.2021 and 13.09.2021

Ref.: Proceedings of the meeting conducted with Special Commissioners Bruhath Bengaluru Mahanagara Palike (BBMP) under the chairmanship of Hon'ble Justice Sri. Subhash B. Adi, The Chairman, State Level Committee (SLC) (Constituted As Per Hon'ble NGT, Principal Bench, New Delhi Order O.A. No. 606/2018) on date 22.7.2021 and 13.09.2021.

List of Participants is enclosed in Annexure 1.

Preamble :

In furtherance of direction issued by the Hon'ble National Green Tribunal (NGT) for implementation and compliance of the Solid Waste Management (SWM) Rules, 2016 several meetings were held with many local bodies and particularly with BBMP.

From amongst the local bodies in Karnataka, BBMP is largest generator of Municipal Solid Waste (MSW). As per SWM Rules every local body was required to comply with SWM Rules, within a period of three years from the date of notification of the said rules. Three years period got expired long back. NGT has extended the time at the request of the state on assurance of compliance of the SWM Rules in reasonable time.

In order to achieve timely compliance of SWM Rules several meeting were held with the BBMP authorities to review the progress made in the SWM which includes Construction and Demolition (C&D) waste management, plastic waste management, Biomedical Waste (BMW) management, e-waste management, Hazardous waste management etc.



- Randomly check compliance to rule 4 and other provisions of the Waste Management Rules, 2016 by bulk waste generators, gated community and others

SLC cannot be silent spectators when the executive, which is democratically accountable when, it fail to discharge its responsibility. BBMP officials cannot plead ignorance of law as an excuse who have been otherwise sufficiently educated in erstwhile meetings. Hence this meeting was called to review implementation of direction given by SLC and to know the compliance of waste management rules by Mahadevapura and West Zone of BBMP.

Minutes of meeting

The Senior Environmental Officer (SEO) (Solid Waste Management) of KSPCB welcomed all the participants. The Chair expressed little satisfaction on the micro planning and its implementation by the BBMP, i.e., by Zonal Office Mahadevapura and Bangalore West. However, there was no expected progress was shown by BBMP for one or the other reason. Concerned officials were informed that failure to comply with SWM Rules, would attract penal consequences under the provision of the Environment Protection Act, 1986 as such it is a duty and responsibility of the every local body to ensure that the SWM rules are complied and implemented in its letter and spirit without any further delay. Inaction by BBMP to discharge its duty would trigger Karnataka State Pollution Control Board (KSPCB) to initiate action against BBMP as per law.

Agenda 1 Review of Action Taken by Zonal Office of Mahadevapura Zone, BBMP

Apart from others, the inadequate capacity of leachate treatment plants at Mittiganahalli and Mandur waste disposal sites are causing environment problems was discussed in details. It was deliberated that, the leachate could contaminate ground water as far as 10 km if not properly treated. The water contamination is serious offence and attracts section 24 of the Water (Prevention and Control) of Pollution Act, 1974, reproduced below:

24. Prohibition on use of stream or well for disposal of polluting matter, etc.—(1)

Subject to the provisions of this section,—

(a) no person shall knowingly cause or permit any poisonous, noxious or polluting matter determined in accordance with such standards as may be laid down by the State Board to enter (whether directly or indirectly) into any stream or well or sewer or on land; or

start the work within two months, for bioremediation of legacy waste as per the SWM rules and guidelines issued by CPCB in this regard.

The issue of bulk waste generated from 952 apartments in the Mahadevapura zone was discussed in detail wherein M/s MSGP Infratech Pvt Ltd., which has the contracted for MSW processing has subcontracted waste collection. This was deliberated in detail. The chair expressed the concern on the procedure followed by BBMP against provisions of Rules 4(6), (7) and (8) as the procedure of sub contract appears to be not in consonance with SWM rules. Said provisions are reproduced below:

(6) All resident welfare and market associations shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(7) All gated communities and institutions with more than 5,000 sqm area shall, within one year from the date of notification of these rules and in partnership with the local body, ensure segregation of waste at source by the generators as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorized recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by the local body.

(8) All hotels and restaurants shall, within one year from the date of notification of these rules and in partnership with the local body ensure segregation of waste at source as prescribed in these rules, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio-methanation within the premises as far as

agency/individual to collect waste who are not authorized by it. The chair directed BBMP to submit list of bulk waste collectors and dry waste collection centers in BBMP jurisdiction which are authorized and their terms and conditions.

The duties and responsibility of the officials with respect to solid waste management was discussed in detail. BBMP officials present in the meeting informed senior health officer is responsible for tracking of waste. The chair informed that the responsibility has to be fixed at each level on the official concerned to ensure that the money that is spent is co-related with the proper solid waste management.

The Chair after reviewing the decentralized solid waste processing facility including dry waste collection center informe the BBMP to submit agreement made with decentralized solid waste processing facilities. He informed even Sthree Shakthi groups should be registered.

The attention of BBMP was drawn to meat stalls which are throwing waste haphazardly. In this regard it was informed to take strict action. Further he informed that the footpaths be free from encroachment and strict action be initiated against such violators. In order to ensure effective implementation of SWM Rules BBMP may involve responsible citizens group at their respective areas.

Issues pertaining to C&D waste was discussed in detail and BBMP officials submitted that they are in the process of identify new disposal facility. The chair directed BBMP to ensure that C&D waste generators shall submit waste management plan and get appropriate approvals from the local authority before starting construction or demolition or remodeling work as per the provisions of C&D waste Rules, 2016 to ensure that no C&D waste is thrown on street or footpath.

(Action: BBMP, KSPCB; Action by:04.03.2022)

KSPCB is a regularly authority under the SWM Rules, it is the responsibility of the KSPCB not only to monitor and submit report on the complience of SWM Rules but also to take appropriate action against the violators, otherwise the very purpose of monitoring would be defeated. Hence the KSPCB also to submit independent report in this regard.

Regional Senior Environmental Officer,
Bangalore East
KSPCB, Bengaluru

Copy to :

- Commissioner, BBMP, Hudson Circle, Bengaluru 560002
- Senior Environmental Officer, E-governance Cell, KSPCB for information and to upload the proceedings on KSPCB website

Annexure 1 List of Participants

Sl No	Name Of the Officer	Designation
•	Sri. Justice Subash B.Adi	Chairperson, SLC(Constituted as per Hon'ble NGT, Principal Bench, New Delhi Order O.A. No. 606/2018.)
•	Sri. Srinivasulu I.F.S	Member Secretary KSPCB
•	Sri. Dr. Harish Kumar	Special Commissioner (SWM), BBMP
•	Sri. Dr. KV. Thirlok Chandra	Special Commissioner (Health and IT), BBMP
•	Sri. Shiva Swamy	Joint Commissioner(JC), West, BBMP
•	Sri. R. Venkatachalapathy	JC, Madevpura, BBMP
•	Sri. M.G.Yateesh	SEO, KSPCB
•	Smt. Rekha. R	Regional Senior Environmental Officer (RESO), Bengaluru East, KSPCB
•	Smt. Vijayalakshmi	RSEO Bengaluru city, KSPCB
•	Smt. K Swayamprabha	Superintendent Engineer (SE), West
•	Sri. B.H Nagaraja	SE, Mahadevpura
•	Sri. Basavaraj. R. Kabade	SE, SWM, BBMP
•	Sri. Ramesh K.M	Regional Officer(RO), KSPCB, City West
•	Sri. Ramesha. C	Environment Officer, WMC, KSPCB
•	Sri. D.P. Mahendra	RO, KSPCB, Mahadevpura
•	Smt. Srinidhi	Assistant Executive Engineer (AEE), SWM, K.R Pura, BBMP
•	Smt. Mamath M.S	AEE, SWM, Madevpura division, BBMP
•	Sri. Prabubbada Kambale	AEE, SWM, Gandhinagar, BBMP
•	Sri. Thirtha Prasad .L	AEE, SWM, Govindrajnagar, BBMP
•	Smt. Rekha.M.S	AEE, SWM, Malleshwarm, BBMP
•	Smt. Roshini .N	AEE, SWM, Mahalakshi Layout, BBMP
•	Sri. Shivanna. B.C	AEE, SWM, Chamarajpet, BBMP
•	Smt. Sumalath. B	AEE, SWM, Rajajinagar, BBMP
•	Sri. Shravan B.M	Plant Manager, Subbarayanapalya, BBMP
•	Smt. Chandana R.M	Plant Manager, Kannahalli, BBMP


SENIOR ENVIRONMENTAL OFFICER

Waste Management Cell

Karnataka State Pollution Control Board