

**BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 179 of 2017
(M.A. No. 1527 of 2017)**

IN THE MATTER OF:

Venkatesh & Ors. Vs Union of India & Ors.

**CORAM : HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER, ACTING CHAIRPERSON
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Present:	Applicant:	Mr. Vivek Reddy, Sr, Adv, Ms. Sheetal Soni, Mr. shailesh Madiyal Adv
	Respondent :	Mr. Divya Prakash Pandey Adv. Ms. Kashi Vishwehwar, Adv. for R- 10,12,14 Mr. Rajkumar, Adv. with Mr. Bhupender LA, Central Pollution Control Board. Mr. Anjana Gosain, Ms. Shalini Nair Adv. Mr. Shailesh Madiyal and Ms. Sheetal Soni and Mr. Sudhanshu Prakash Adv Mr. B.V. Niren Mr. Vinyak Gupta adv. Mr Devraj Ashok adv
	Respondent No.3	
	Respondent No. 18	

Date and Remarks	Orders of the Tribunal
<p>Item No. 21</p> <p>January 05, 2018</p> <p>ss</p>	<p>Learned Counsel appearing on behalf of Applicant submits that the BBMP has virtually used the abandoned quarry at Survey No. 176 and 271, village Bagalur, Jala Hobli, Bengaluru North Taluk as a solid waste dumping site without authorization and contrary to the provisions of Solid Waste Management Rules, 2016.</p> <p>The Learned Counsel appearing on behalf of BBMP submits that '<i>Criteria for pollution prevention</i>' at Clause-D in Schedule-I "SPECIFICATIONS FOR SANITARY LANDFILLS" permits the use of the quarry site for disposal of residual waste, mixed waste etc. and the BBMP after having a Technical Report on the 'Design concept and procedure for scientific filling of solid waste in the quarry pits' annexed as annexure R-7 to the response of BBMP dated 25th October, 2017 and taking measures suggested therein particularly surface preparation at the bottom of the quarry, lining of the surface bottom and the sites with composite barrier of HDPE geo-membrane or geo-synthetic</p>

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	<p>Item No. 21</p> <p>January 05, 2018</p> <p>ss</p>	<p>composite waste to the landfill sites till in the time waste processing facilities for composting or recycling or energy recovery are set up and <u>not for all times as a matter of course</u>. Virtually, in the present case the quarry which has been shown as a landfill site, has been utilized by the BBMP for dumping of waste without there being any waste processing site at the same landfill site or at any other place within the limit of BBMP. At the end of the Schedule-I, clause 'J' therein deals with closure and rehabilitation of old dumps and spells out the process of reduction of waste by bio-mining and waste processing followed by placement of residuals in the landfills and also about any other method suitable for reducing environmental impacts to acceptable levels. If the present site have been utilized for dumping of the waste, it is necessary that all the waste dumped so far is handled in the manner specified in clause 'J' to the Schedule-I of the Solid Waste Management Rules, 2016. This will perhaps be a sustainable way of utilizing the precious land resources which ought to have lasted for minimum of 15 years.</p> <p>The Learned Counsel appearing on behalf of the BBMP seeks time to keep Joint Commissioner of BBMP present before us and to provide solution to the present problem.</p> <p>List this matter on 17th January, 2018 at the end of the Board.</p> <p>.....,ACP (U.D. Salvi)</p> <p>.....,EM (Dr. Nagin Nanda)</p>
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