

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI**

**Original Application No.62 of 2024 (SZ)  
[Earlier O.A. No. 66 of 2024(PB)]**

**IN THE MATTER OF:**

Tribunal on its own motion SUO MOTU  
based on the news item in Deccan Herald  
dt. 27.12.2023 titled "Bengaluru's waste  
crisis threatens livelihoods: NGO"

*And*

Central Pollution Control Board and Ors.

..... Respondent(s).

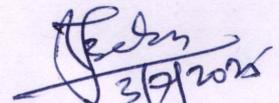
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Place: Bengaluru

Date: 03.07.2025

  
Filed through CPCB Counsel

  
3/7/2025  
(DEPONENT)

J. Chandra Babu  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
(MIN.OF ENV,FOREST & CC, GOVT OF INDIA)  
BENGALURU - 560 079. MOB: 9868278903

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**REPLY ON BEHALF OF RESPONDENT NO. 1, THE CENTRAL  
POLLUTION CONTROL BOARD**

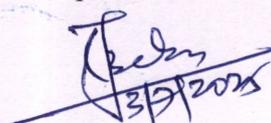
1. That, this Hon'ble Tribunal has issued notice to all respondents in the instant matter and thereby the reply is made in succeeding paragraphs.



  
**J. Chandra Babu**  
 REGIONAL DIRECTOR  
 CENTRAL POLLUTION CONTROL BOARD  
 REGIONAL DIRECTORATE - BENGALURU  
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2. That, Central Pollution Control Board (hereinafter referred to as **CPCB**) is constituted under Section 3 of The Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981 and The Environment (Protection) Act, 1986.
3. It is humbly submitted that the instant application was registered as suo-motu by the Hon'ble National Green Tribunal, Principle Bench, New Delhi as original application No. 66 of 2024 on the basis of the news item appearing in Deccan Herald dt. 27.12.2023 titled "Bengaluru's waste crisis threatens livelihoods: NGO". Central Pollution Control Board was impleaded as Respondent No. 1 and the matter was transferred by Hon'ble NGT (PB) to the Hon'ble NGT SZ Bench, wherein the same has been renumbered as O.A No. 62/2024.
4. It is submitted the said news article, speaks about the impact of climate change, waste crisis and drinking water shortage on the vulnerable groups of the society, especially around Mavallipura MSW landfill site. As quoted in the report itself, the same was prepared based on a series of consultations with farmers, senior citizens, sex workers and other vulnerable groups held by the Environment Support Group(ESG) an NGO.
5. It is humbly submitted that, Ministry of Environment, Forest & Climate Change (hereinafter referred to as MoEF&CC) has notified the Solid Waste Management Rules, 2016 (hereinafter referred to as SWM) vide notification S.O 1357(E) dated April 8, 2016 in suppression of Municipal Solid Waste (Management and Handling) Rules 2000. As per the relevant



  
 J. Chandra Babu  
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 REGIONAL DIRECTORATE - BENGALURU  
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provisions under the SWM Rules 2016, the local bodies and panchayats are entrusted with the primary responsibility of collection and management of municipal solid waste, maintenance and operation of the solid waste processing sites and dumpsites, landfills. etc.

6. That, as per the relevant provisions of the SWM Rules, 2016, the local bodies have to obtain authorisation for setting up waste processing, treatment, recycling or disposal facility including landfills from State Pollution Control Boards/Pollution Control Committees (hereinafter referred to as SPCBs/PCCs). The SPCBs/PCCs are entrusted with the responsibility for enforcement of the SWM Rules, 2016 in their states through local bodies in their respective jurisdiction and a periodical review of implementation with monitoring of environmental standards and adherence to conditions prescribed under SWM Rules, 2016. The SPCBs/PCCs are also entrusted with the responsibility of issuance of authorization to the local bodies after examining the proposals submitted by them.
7. That, CPCB had issued the Guidelines for Disposal of Legacy Waste (Old Municipal Solid Waste) in February, 2019 regarding the bio-mining and remediation of solid waste legacy dump sites and it is the responsibility of respective Urban and Rural bodies to carry out the bio mining and remediation of legacy waste dumping sites.
8. That, CPCB has issued Directions dated 27.01.2021 to all SPCBs/PCCs for enforcement of Provisions of Solid Waste Management (SWM) Rules, 2016 regarding bio mining of legacy waste. **(Annexure I).**



*J. Chandra Babu*  
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9. It is humbly submitted that Hon'ble NGT, in OA No. 606/2018 is considering the issue of solid waste management in all State/ UTs as per orders of the Hon'ble Supreme Court dated 02.09.2014 in Writ Petition No. 888/1996, Almitra H. Patel vs. Union of India &Ors., with regard to solid waste management. In its Order dated March 18, 2025 - in OA 606/2018 Hon'ble NGT has observed that the 67.72 Lac T of Legacy waste is dumped across the state in 192 dumpsites, which shall be remediated by December 2027 as per timelines provided by the State Govt. and has issued the following Directions:
- In view of the fact that existing sites are already loaded with legacy waste, no fresh legacy waste out of unprocessed waste should be added there.
  - Considering that TCLP test have shown presence of leachable toxicants, there is constant threat of ground water contamination which should be monitored. Next report should give ground water quality around dumping sites having large quantity of legacy waste.
  - Its observed that most of the solid waste is disposed of as landfill or sanitary landfill. It is not clear if such disposal is with the permission/approval of the PCB. In the next report, the State should disclose the quantity and details of the site used for such landfill/sanitary landfill including the geo code of such locations.
10. It is humbly submitted that, response from the KSPCB and BBMP may be important to adjudicate the matter, since the implementation of the provisions of the SWM Rules, 2016, including infrastructure development for collection, storage, segregation, transportation, processing and disposal



*J. Chandra Babu*  
 31/3/2025  
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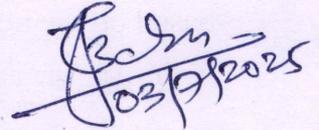
of municipal solid wastes and its scientific operation is their collective mandated responsibility under the SWM Rules, 2016.

11. That, in the light of the above submissions, it is respectfully prayed that this Answering Respondent No.1 i.e., CPCB shall abide by orders or directions passed by the Hon'ble Tribunal in the instant matter.

Dated at Bengaluru on this 03<sup>rd</sup> day of July, 2025



**COUNSEL FOR  
RESPONDENT No. 1**



**DEPONENT**

J. Chandra Babu  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
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**AFFIDAVIT**

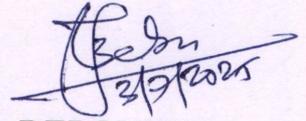
I, Jathikartha Chandra Babu, Son of (Late) Sh. J Balaramaiah, aged about 57 years, having office at the Regional Directorate - Bengaluru, Central Pollution Control Board, 1<sup>st</sup> and 2<sup>nd</sup> Floors, Nisarga Bhavan, A-Block, Thimmaiah Main Road, 7<sup>th</sup> D Cross, Shivanagar, Bengaluru, Karnataka – 560 079, do hereby solemnly affirm, declare on oath and state as under:-



  
**J. Chandra Babu**  
**REGIONAL DIRECTOR**  
**CENTRAL POLLUTION CONTROL BOARD**  
**REGIONAL DIRECTORATE - BENGALURU**  
**(MIN. OF ENV, FOREST & CC, GOVT OF INDIA)**  
**BENGALURU - 560 079. MOB: 9868278903**

1. That the accompanying reply may be read part and parcel of the present affidavit as I am competent to swear this affidavit.
2. That the accompanying reply has been drafted and filed under my instructions and authority, the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.

Dated at Bengaluru on this, 03<sup>rd</sup> day of July, 2025



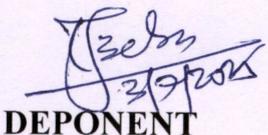
**DEPONENT**

J. Chandra Babu  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
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### VERIFICATION

I, Jathikartha Chandra Babu, working as Scientist 'E' and posted as Regional Director (Bengaluru), CPCB, the respondent herein do hereby verify that the contents of the above paragraphs are true and correct to the best of my knowledge, information and belief.

Verified at Bengaluru on this, the 03<sup>rd</sup> day of July, 2025.



**DEPONENT**

J. Chandra Babu  
REGIONAL DIRECTOR  
CENTRAL POLLUTION CONTROL BOARD  
REGIONAL DIRECTORATE - BENGALURU  
(MIN. OF ENV, FOREST & CC, GOVT OF INDIA)  
BENGALURU - 560 079. MOB: 9868278903



SPEED POST

केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

F. No. B-11011/UPC-II/MSW(Direction)/2020-21

27 .01.2021

To,

15320-15354

The Chairman,  
All SPCBs/PCCs

**Direction under Section 5 of the Environment (Protection) Act, 1986 for enforcement of Provisions of Solid Waste Management (SWM) Rules, 2016 regarding bio mining of legacy waste.**

**WHEREAS**, the Central Government has notified the standards for discharge of environmental pollutants from various categories of industries under the Environment (Protection) Act, 1986 and the rules framed there under;

**WHEREAS**, the Ministry of Environment, Forest & Climate Change has notified Solid Waste Management Rules, 2016, which inter-alia state procedures for Solid Waste Management;

**WHEREAS**, under Rule 15(z) of SWM Rules, 2016 local authorities and village Panchayats shall investigate and analyse all old open dumpsites and existing operational dumpsites for their potential of bio-mining and bio-remediation and whosoever feasible, take necessary actions to bio-mine or bio-remediate the sites;

**WHEREAS**, under Rule 16(a) of Solid Waste Management Rules, 2016, the State Pollution Control Board or Pollution Control Committee shall enforce these rules in their State through local bodies in their respective jurisdiction and review implementation of these rules at least twice a year in close coordination with concerned Directorate of Municipal Administration or Secretary-in-charge of State Urban Development Department;

**WHEREAS**, remediation of all Dumpsites has to be completed by April 7, 2021 as per Rule 22 of SWM Rules, 2016.

**WHEREAS**, in compliance of Hon'ble NGT Order dated 16.01.2019 in the matter of OA no. 606/2018, CPCB published Guidelines for Disposal of Legacy waste;

**WHEREAS**, Hon'ble NGT has issued several Directives on the matter including the following:

Contd.

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/Tel : 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- (i) In OA no. 519/2019, all Chief Secretaries, States/UTs to ensure completion of remediation of dumpsites by October, 2020.
- (ii) In OA no. 53/2020, CPCB to complete inventorization of dumpsites in the Country.
- (iii) In OA no. 593/2017, CPCB to compile information related to Legacy Waste Management and identify gaps thereof.

**WHEREAS** in compliance with above orders of Hon'ble NGT, several communications dated 14.05.2020, 28.07.20 & 31.07.2020 have been issued by CPCB to States/UTs to provide requisite information on the matter.

**WHEREAS** complete information on the matter is yet to be received from all States/UTs.

**WHEREAS**, CPCB officials inspected dumpsites in various States where bioremediation of legacy waste is being carried out and made the following observation:

- i. Most of the ULBs engaged in the bio mining process of the legacy waste not following CPCB Guidelines on disposal of legacy waste.
- ii. Analysis of different screened fractions is not being carried out prior to disposal/utilization.
- iii. Poor quality of screen fractions and screened fractions not being lifted by the users.
- iv. Adequate plan for disposal of screened fractions at the dumpsites not prepared and screened fractions accumulated on site.
- v. No leachate treatment being carried out and stagnation of leachate noticed at the dumpsites.
- vi. Records/documents for the sale of the RDFs, inerts and other materials not maintained.
- vii. Fresh Solid Waste continued to be dumped at these dumpsites.

**WHEREAS**, vide Order dated 21-8-2020 in the matter of OA no. 681/2018, Hon'ble NGT directed CPCB to issue fresh Direction in this regard to all the State PCBs/ PCCs to coordinate with concerned Local Authorities for further Action in the matter. Further, as per the Hon'ble NGT's Direction, at least one site is to be remediated and made a model of compliance in each of the 122 Non-Attainment Cities;

**Contd.**

**NOW THEREFORE**, in view of the above and in exercise of powers delegated to the Chairman, Central Pollution Control Board (CPCB), under Section 5 of the Environment (Protection) Act, 1986, the following directions are issued for compliance:

1. SPCBs/PCCs to provide complete list of Legacy Waste dumpsites in their States/UTs as per format enclosed.
2. SPCB/PCCs to ensure that necessary action for biomining and bio-remediation of these dumpsites is done by the concerned Local Authorities in compliance with Provisions of SWM Rules,2016.
3. SPCBs/PCCs shall ensure that concerned Local Authorities engaged in the bio mining process of legacy waste follow procedures as per CPCB Guidelines for Disposal of Legacy Waste with specific compliance to the following points.
  - (i) Analysis of various screened fraction materials i.e. RDF, fine earth/bio earth etc., prior to its disposal/utilization.
  - (ii) Preparation of plan for utilization/disposal of screened fractions
  - (iii) Adequate provisions for leachate treatment.
  - (iv) Maintenance of records / documents for disposal/utilization of the RDFs or fine earth and other materials.
4. SPCBs/PCCs shall ensure that the local bodies prepare time targeted Action Plan for biomining /bio-remediation of these dumpsites in compliance with points listed above. The timelines as specified in SWM Rules,2016 and Hon'ble NGT Directions on the matter are to be adhered to for remediation of these sites.
5. SPCBs/PCCs to ensure that no fresh waste is disposed at these dumpsites and local authorities make proper arrangement for management of fresh solid waste.
6. SPCBs to ensure that at least one legacy waste dumpsite is remediated in their jurisdiction which can be considered as model for compliance for other legacy waste dumpsites in Non-Attainment Cities (NAC).

SPCBs/PCCs are hereby directed to submit action taken report within **30 days** from receipt of these Directions.

  
(Shiv Das Meena)  
Chairman

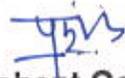
Copy to:

1. **Joint Secretary (CP),**  
**Ministry of Environment, Forest and Climate Change,**  
Indira Paryavaran Bhavan, Jorbagh Road,  
New Delhi-110003

: For necessary information pls

✓ 2. **DH- IT Division, CPCB**

: For uploading on website pls

  
✓ **(Prashant Gargava)**  
Member Secretary 

