

CJ & AVSRJ:

27-7-99

W.P.Nos. 33645/98 c/w.

13473/98, 24185/97, 31343/95,

13531/95, 6184/94, 14103/94

21210-21214/93, 3460/99 and

7089/99.

O R D E R

These writ petitions are filed in the nature of public interest litigation stating that due to non-action of the Government, Corporation, Pollution Control Board, B.W.S.S.B. and Slum Clearance Board and other Authorities and also in not taking necessary care and caution to protect the environment, there is pollution of water and air and this is stated to be due to the fact of not regulating the flow of open drainage water and also sewerage discharged from the residential localities, particularly of hutment areas of the Bangalore City. The entire sewerage is flowing to all the tanks within the Bangalore City and adjoining to Bangalore City causing air pollution which is disastrous to the residents of the City

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1. How many open drains and open sewers exist in Bangalore (large, medium and small)?
2. To which tanks and valleys sewers flow?
3. Name all those tanks into which the sewer water flows?
4. Are there any sewer treatment plants treating the sewerage?
5. Where are they situated and are they functional?
6. If they are not functioning, the reasons for not functioning.
7. How many slums are situated in Bangalore (authorised and unauthorised) under the Slum Clearance Act?
8. How many slums have the facility of under-drainage system and how many slums do not have under-drainage system?

After following the above aspects the Committee has to chalk out a plan including finance required for implementation of the proposed scheme and the time for such implementation. Items to be implemented including

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technical knowhow required.

7. We further direct that they will consider

(1) to divert the entire open drainage water through drainage channels either through underground or open drainage to be cleanly maintained to a particular place which is not a Tank or public place and they have to establish the sewerage treatment plants to treat the said water before use for irrigation or gardening purposes.

(2) To construct the Sulabh Shouchalaya in all the hutment areas of the City providing the facility of continuously cleaning it. Further to take steps to see that the entire water discharged from the Slum areas is diverted to flow through underground channels to a particular place where it will be cleansed by sewerage plants.

(3) To take steps not to allow any polluted water or any open air polluted water or underground drainage water to flow into the tanks

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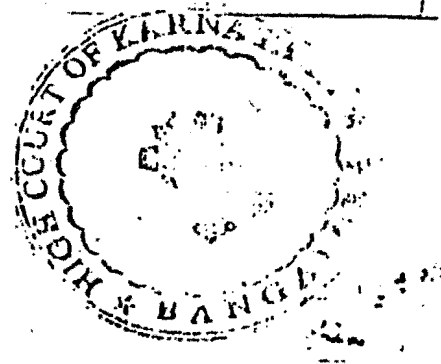


X  
in the Bangalore City and surrounding the Bangalore City and to make arrangements to divert such water to a particular place where it can be cleansed by sewerage plants and use for industrial purpose, agricultural or gardening purposes.

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(5) to take steps to protect all the tanks and to maintain the tanks as they were in existence earlier to damage and see that the drainage water is not stored in the Tank without being polluted by flow through underground, open air and sewerage water into it. If any tank is damaged, or breached

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the steps to be taken to restore the tank where the tank is not occupied by any person. Before taking any steps, they must enumerate the number of the tanks in the City as per the revenue records and to indicate as to howmany tanks are now in existence and howmany of them are not existing and prepare the list for conversion of the tanks into other use and reason thereof and the measures to be taken for restoring such tanks.

8. We therefore direct the Corporation, Sewerage Board and Slum Clearance Board and other

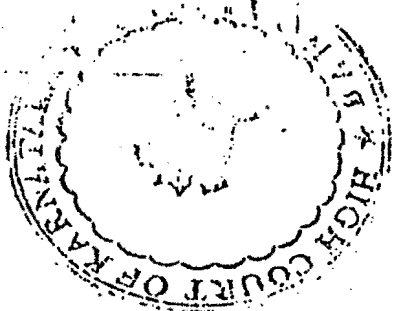


respondents who are connected with the management of this, to provide plan, allotting funds to co-operate and co-ordinate in solving the problems created by pollution of water and air in the City of Bangalore.

9. We further direct the corporation to take steps to clear garbage in the City and transport the same in covered vehicles instead of open lorries as has been done now, in order to avoid spill-over and foul smell of the garbage in the process of transportation and to destroy the said garbage by taking appropriate steps so that the storage place may not become the stock of another breeding place for pollution.

Therefore, in view of the above said circumstances, we direct the Committee headed by the Chief Secretary to go into all the above stated aspects and after considering the same,

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submit a comprehensive report to this court regarding implementation of the directions issued by this Court on or before 31st October, 1999.

Office is directed to furnish the copy of this order to the learned counsels and the learned Government Advocate.

Post on 15-11-1999.

Sd/-  
Judge

Copy  
N.S. Narasimhaiah 4/8  
Assistant Registrar,  
High Court of Karnataka,  
Bangalore-560 001.

