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Garbage Is Good to Think With: The Interplay of Civic Activism and Judicial Intervention in Shaping Bangalore's Solid Waste Management Policies

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This paper is based on material collected within the framework of the research project 'Changing patterns, practices and policies among "new consumers" in India and the Philippines', coordinated by Suren Erkmann, Shalini Randeria and Marlyne Sahakian. We would like to express our gratitude to the Swiss Network of International Studies (SNIS) for funding the project for the period 2013-15. Our sincere thanks go to G K Karanth for his insights and support during our fieldwork in Bangalore.

1. Introduction

Neoliberalism (particularly its focus on market efficiency and privatization), globalization, and the push towards de-centralised 'governance' – the manner in which local governments work together with multiple stakeholders – have transformed urban local bodies in India. In cities with global aspirations, the colonial modern (and subsequently nationalist) obsession with filth, cleanliness, public health, and beautification have re-emerged under the labels of infrastructure provision, solid waste management (SWM), and quality-of-life indicators. The administrative structures to deal with these – in the spirit of the new governance mechanisms – include citizen's groups, NGOs, elected officials, and municipal officials. (Kudva, 2014, 274)

- 1 Civic activism aimed at solving the problems of garbage collection and disposal in Bangalore in the first decade of the twenty-first century—problems that were framed in the public discourse as a ‘crisis’ of ‘urban governance’—set in motion wide-ranging changes in policies and municipal government practices as well as in the behaviour of citizens. Unlike court orders, which usually aim to remedy bureaucratic neglect or inefficiency, the changes ordered by the Karnataka High Court following petitions filed by citizens and NGOs not only improved dysfunctional municipal systems of waste management, they also led to the formulation of new policies. These both reflected and brought about a gradual transformation of attitudes towards and practices of waste reduction and garbage segregation at source among households and in gated enclaves, as shown in this special e-issue (Ganguly, 2017, this issue; Ganguly and Lutringer, 2017, this issue). Among the policy measures advocated by NGOs, ordinary middle-class citizens, and the judiciary alike were the introduction of new, decentralised forms of waste management along with novel mechanisms of collaboration with municipal institutions. Garbage is thus good to think with, as it enables us, on the one hand, to map changes in the policies and practices of urban governance, and, on the other, to trace new ways of dealing with waste within households (Ganguly and Lutringer, 2017, this issue) and restaurants (Karanth, 2017, this issue).
- 2 Moreover, waste is a useful lens with which to focus on what Jean and John Comaroff (2006, 26-27) have termed the judicialisation of politics—that is, the tendency that ‘conflicts once joined in parliaments by means of street protests, mass demonstrations, and media campaigns, through labor strikes, boycotts, blockades, and other instruments of assertion, tend more and more [...] to find their way to the judiciary’. Civic contestation and judicial challenges over waste in Bangalore involve larger health and environmental concerns beyond the city as well. The growing amount of garbage generated by the rapid expansion of the city was disposed of in landfills in neighbouring peri-urban and rural areas, causing serious health problems along with severe environmental pollution. The host of issues surrounding waste management addressed by activists in Bangalore and the Karnataka High Court thus go far beyond the Nimby (‘not in my backyard’) approach usually associated with ‘middle class environmentalism’ (Ghertner, 2014). Despite their primary concern with the city’s problems, activism with regard to and court orders on waste in the city are unusual in addressing larger (environmental and social) rural-urban linkages too. The Karnataka High Court, for instance, whose role we analyse here, upheld citizens’ rights to a clean city, but equally the fundamental rights of villagers near Bangalore to a healthy environment, which the court saw as jeopardised by the dumping of the city’s untreated waste on its outskirts.
- 3 In 2012, Bangalore became the first Indian metropolitan city to adopt a comprehensive solid waste management policy based on the principle of decentralisation. The municipal policy was directed, both in its guiding principles and in its detailed provisions, by the judiciary, acting in response to a series of cases filed by citizens and NGOs. But policy changes on an issue like waste do not advance towards a telos of greater efficiency or more scientific systems, contrary to what has been suggested by public officials or corporate leaders. Policy making and implementation constitutes, we argue, a field of contention in which actors with varying resources, power, and knowledge jostle with one another for influence with regard to defining a problem in a particular way—a way that in turn shapes the solutions envisaged. Our material shows that public policy on a key service provision like waste collection and disposal is no longer the domain of elected city

officials or the city administration alone. It involves a host of public authorities and bodies in a complex interplay with NGOs, Residents Welfare Associations (RWAs), private corporations, contractors and middle-class citizens, using a variety of mechanisms of participation to influence public deliberation and decision-making, including moving courts. We suggest that policy making is an eminently political process, albeit one that is often framed in terms of efficiency, effectiveness or technical imperatives. Ironically, activists use a rhetoric of citizen participation even though they often 'undermine the radically heterogeneous forms of democratic political participation the city offers' (Anjaria, 2009, 391).

- 4 While rapid urbanisation and a growing middle class with burgeoning consumption are certainly responsible for the large quantities of garbage being generated in Bangalore, quantities that have strained the city's public services, the civic response to the 'garbage crisis' also reflects some specificities of the city. Bangalore's young and well-educated middle classes, especially those employed in the IT sector, have shown a marked sensitivity to urban environmental issues, leading to wide-ranging civic activism facilitated by strong social and virtual networks. One of the motors of the middle classes' significant participation in civic life, especially on the issue of waste, has been their experience of having lived abroad; another has been corporate-led initiatives. Against this background, we examine how issues related to urban governance, civic participation and waste came together to influence the formulation and implementation of policy changes in waste management. An anthropology of policy approach such as the one used here aims to capture 'the full realm of processes and relations involved in the production of policy' (Wedel et al., 2005, 34). It views reforms, 'crises' or the framing of new laws as important lenses with which to analyse processes of contestation of policy (Shore and Wright, 2011, 13). Protracted policy making creates particular 'policy communities, that is, specific constellations of actors, activities, and influences that shape policy' (Wedel et al., 2005, 34). Our analysis seeks to map the policy community involved in governing solid waste management with a view to delineating how the policy provisions relate to specific features of the community that framed them and to the court cases they filed, on the one hand, and to the nature of judicial interventions, on the other. This analysis is based on field research conducted between 2013 and 2015 and that included interviews with civil society activists and government officials, local leaders in gated enclaves and IT industry employees, both women and men.

2. Agendas of Middle-Class Activism in Urban India

- 5 Middle classes, with their global aspirations and imaginations, have dominated India's economic, social and political agendas following neo-liberal reforms since the mid-1990s. The stories and the statistics of rapidly rising middle-class consumption are often interpreted as signs of success, in triumphal narratives of the country's economic transformation (Fernandes, 2009). Urban policies and programmes of urban development too have been shaped more and more by the political demands and desires of vocal and powerful middle classes (Chatterjee, 2004; Anjaria 2009). A variety of political and institutional platforms have been set up to further an urban environmental agenda (Mawdsley, 2009; Upadhyay, 2009). For example, groups and organisations, including NGOs and neighbourhood associations, have sought to improve urban governance and the 'quality of life' of those living in Indian cities. Often, middle-class urban environmental

activism has focused on the issue of garbage, now called 'solid waste management', complemented by campaigns against noise and air pollution and for the control of stray animals, or 'beautification' drives (Baud and Nainan, 2008, 492) that include the clearing of slums, forbidding the poor from living on or selling goods on the pavement and forcible relocation of those defined as 'illegal encroachers' to outside the city (Bhan, 2016). But the very meaning of 'environment' and the definition of what is framed as an 'environmental' problem varies with the urban governance agenda of which it is a part.

- 6 One notable feature of urban middle-class activism in India is the increasing recourse to the judiciary by NGOs, RWAs and individual citizens, who file so-called public interest litigation (PIL)¹ petitions in the High Courts to obtain redress in environmental matters. Consequently, the judiciary has come to play an increasingly salient role in urban governance issues through cases and judgements, which have a bearing not only on policies but on the daily conduct of civic administration affairs as well (Baud and de Wit, 2008, 30). Interventions by courts can be empowering or disempowering for the poor. Gill (2010, 191-199) analyses, for instance, the significance of two 'green' actions in Delhi proposed by the city administration and the judiciary, respectively: the ban on recycled polythene bags and the court decision on industrial relocation, both of which constrain or destroy the livelihoods of those engaged in the informal plastic-recycling industry. Waste workers living and working in Delhi slums have, therefore, exercised voice and agency to struggle for their own alternative vision of the city. Many of these cases, filed by urban middle-class environmental activists, follow the well-known Nimby logic, asking courts, for instance, to order polluting industries to be moved out of their city, or to clear up slums in selected neighbourhoods.
- 7 A remarkable exception is the work of the Environment Support Group (ESG) in Bangalore, which has filed cases in the Karnataka High Court on behalf of the villagers on the outskirts of the city who were adversely affected by the landfills in which the city's garbage was dumped unsegregated and untreated. This NGO has also been active on behalf of the workers involved in the collection of garbage in Bangalore. Their experiences are detailed in the interview with Bhargavi Rao and Leo Saldanha of ESG that is published in this issue (Lutringer, 2017).
- 8 Everyday urban environmental governance in Indian cities reveals a complex network of governance actors at work. As Baud and Nainan (2008, 483) point out, 'in addition to the local forms of (self-) organisation, middle-class groups have entered into formal relationships with the state', thus forming a new 'arena' of middle-class activism and participation in policy making over the past three decades. Urban governance and policy making has become increasingly complex given the proliferation of actors in the field (Randeria and Grunder, 2011; Sami, 2014), but also due to market-driven changes percolating down to the local municipal level (Shatkin and Vidyarthi, 2014, 5). The changes have been driven by national, regional and local dynamics, but global influences have been at work too. With the neo-liberal restructuring of the country's economy that has been taking place since the mid-1990s, credits from the World Bank and the Asian Development Bank have replaced the hitherto centralised public investment in, and management of, large-scale urban infrastructure, including in the area of waste. Privatisation and decentralisation within this framework for international lending has also meant the involvement of non-state actors, be they private businesses or NGOs, in the design, monitoring and implementation of policy (Randeria and Grunder, 2011). Non-state actors such as business leaders, builders and contractors, but also citizen groups,

RWAs and activists, play a role in providing expertise and specific services to government and to urban residents alike (Sami, 2014, 137). These new urban political actors act within configurations characterised by institutional complexity, overlapping jurisdictions and power sharing between various local and para-statal agencies (Randeria and Grunder, 2011). A maze of state institutions, para-statal bodies with consultative, recommendatory or preparatory roles, and semi-autonomous corporate bodies for urban infrastructure planning, development and management as well as a variety of private actors are thus responsible for the provision of urban services today (Upadhya, 2009; Kudva, 2014).

- 9 This raises the question of the ambivalent nature of participation in these new political spaces of urban governance. Since opportunities for participation do not translate into equal access for all sections of society (Sami, 2014, 122), the new paradigm risks ‘an elite capture of urban governance processes’ (Kundu, 2011). This ambivalence is especially evident with regard to the urban environmental issues that have been at the forefront of middle-class civic activism in India’s metropolises. While middle classes are better networked and have better access to policymakers than do the urban poor (Lange et al., 2009, 295), the sharp dichotomy that is often drawn between the middle classes and the urban poor needs to be nuanced. Das and Randeria (2015) suggest not only that the category ‘urban poor’ needs differentiation by way of fine-grained ethnographic analysis, but also that the poor use multiple networks of neighbourhood ties and political patronage as well as links to middle-class employers to mobilise for access to infrastructure and for sheer survival in the city. Our argument here is that middle classes too do not constitute a homogenous category as they are marked by differences of identities, consumption patterns and political and civic engagement. They too depend on access to power holders and the use of a variety of networks to influence local policymakers and bureaucrats, at the level of the ward and the city. Unlike the poor they have a seat at policy round tables, direct access to the judiciary and good contacts with the press that is favourable to the environmental causes they champion.

3. Middle-Class Activism in Bangalore around Solid Waste Management

- 10 Environmental activism in Bangalore is informed by a variety of issues and identities grounded in the history and the geography of the city. Kamath and Vijaybhaskar (2009) contrast, for instance, older middle-class neighbourhoods, home to high-level bureaucrats and retired civil servants, with newly developed urban areas and gated enclaves that host professionals working in globalised service sectors. This differentiation between neighbourhoods also resonates with our material on civic activism around solid waste management, material that suggests diversity in the forms and modes of engagement among the city’s middle classes. This diversity is related to differences in the scale of community-led initiatives, which partly depend on the kinds of housing in various neighbourhoods. Older middle-class neighbourhoods are usually composed of houses in central areas of the city, while the new middle classes employed in the IT sector live in gated enclaves in the new peripheral residential areas that have developed close to so-called technology parks. A single gated enclave, which often comprises more than 200 apartments, may thus have as many residents as an entire older middle-class neighbourhood. Our material suggests that the RWAs that coordinate waste management efforts in each type of neighbourhood use different channels to liaise with public

authorities. In older middle-class neighbourhoods, our informants reported closer personal contacts with local bureaucrats and municipal or ward officers in charge of waste management than those reported in gated communities, whose residents are professionals and are new to the city. RWAs in older neighbourhoods have better contacts with bureaucracy and the city administration, but find it much more difficult to garner support within their neighbourhoods for new initiatives and for segregating waste at source. RWAs in gated communities—since 2012 formally in charge of these communities' solid waste management—can use formal channels of communication to reach residents, through notice boards at clubhouses, e-mails, SMSs or blogs.

- 11 But Kamath and Vijaybhaskar also point out the limits of middle-class citizens' activism when confronted with larger economic forces and vested political interests, as—for example—when a private contractor in the garbage disposal business threatened the coordinator of an RWA with dire consequences were the community in question to continue its initiative of independently collecting garbage and composting wet waste (2009, 375). Both the older middle classes of Bangalore and the newcomers, who have migrated from other parts of India or from abroad to work in the IT industry, have mobilised on environmental issues in the city. They have also tried to implement innovative solutions in partnership with the private sector. Based on our material, collected between 2013 and 2015, on the changing patterns of food consumption and waste management among the city's middle-class IT workforce, we suggest that their activism is informed by a strong environmental consciousness born of living abroad. The existence of strong networks within civil society has facilitated city-wide mobilisation.
- 12 Also characteristic of Bangalore's civic activism is the leading role of the private sector in not only informing public discourse on waste but also influencing policy making and policy implementation. As highlighted by Upadhya (2009), corporations have emerged as key actors in urban governance, and corporate-led civic initiatives have sought to make the city attractive to investors. Our research focused on the IT industry, which has strongly shaped urban policies and the larger debate around them. The creation, in 1999, of the Bangalore Agenda Task Force (BATF) by the government of Karnataka, under Chief Minister S.M. Krishna, is emblematic of this process. The objective of the BATF, which ceased operations in 2004 when the Chief Minister lost power, was to create a 'platform for all key civic organisations in the public domain to develop and integrate their short-term and long-term work plans for Bangalore' (BATF, 2010, 211). Among these 'civic organisations', the IT industry played a significant role in defining the plans that shaped public policies. Nandan Nilekani, then managing director and charismatic CEO of the IT giant Infosys, chaired the BATF. Solid waste management was considered an important priority in terms of enhancing the quality of life in a 'world-class' city. Changes in municipal solid waste management policies can be traced precisely to the plan suggested by the BATF, which led to a public-private-partnership project called 'Swacha Bangalore' (Clean Bangalore). Introduced as a pilot project in March 2000, with the support of NGOs, RWAs and corporations, Swacha Bangalore aimed to cover at least 25 per cent of the city (Hampole and K R, 2004). It included measures to promote waste segregation at source and deploy new pushcarts to facilitate the segregation of wet and dry waste. The IT industry also undertook direct sponsorship of civic activities in the field of the environment.
- 13 A second characteristic of Bangalore's civic activism is the existence of strong networks within civil society. Anantharaman (2014) argues that the diffusion of greening practices,

especially those that reduce the environmental impact of middle-class lifestyles, has led to initiatives to encourage fellow citizens to bicycle, recycle and compost. She explores the use of environmental discourses by community groups to encourage the adoption of these practices and suggests a form of 'networked ecological citizenship' whereby highly motivated individuals have assumed leadership in their own neighbourhoods while engaging in city-wide advocacy. Our material on networks around solid waste management initiatives shows that these often take the form of face-to-face networks in neighbourhoods, but can also be virtual networks across the city, consisting of Yahoo groups and other Internet fora where discussions on environmental issues take place. Our informants, many of whom were IT professionals or spouses of IT professionals and in their mid 30s or early 40s, pointed out the diversity of the environmental issues addressed by civic groups and the growing interest that these issues have aroused among their colleagues and friends.

- 14 Waste management is an issue that seems to unite all sections of the city's middle classes. Community-level efforts to segregate waste at source, often combined with the installation of composting facilities on-site, started well before the implementation of the city's solid waste management policy in 2012, a policy that makes such segregation mandatory. Ganguly and Lutringer (2017) document some initiatives from 2009 onwards in gated communities, but we should note that older middle-class neighbourhoods in the city have played a pioneering role in promoting similar efforts. Given the nature of the waste generated by urban households in India—60 per cent of it is estimated to be organic waste—composting wet waste on-site has enormous potential for reducing the quantity of waste sent to landfills or treatment plants. This key idea, based on the principle of decentralisation, has driven the community initiatives that have gradually taken shape in Bangalore. Under this system, residents pay a fee, for primary waste collection, to the community group or neighbourhood association (instead of, or in addition to, the municipality), which organises garbage collection under its own supervision and disposes of the waste collected in facilities nearby. Dry waste is then segregated: valuable recyclable items are sold and the rest is picked up by trucks belonging to the municipality or by private contractors/companies. The leaders of those residents' groups that have put such systems in place have drawn inspiration from similar systems put in place in other Indian cities; for example, the 'zero-waste' effort of the city of Vellore has served as a model and was cited by the petitioners in court.
- 15 Yet community groups have faced many problems during the implementation of these decentralised projects. During our fieldwork, our informants narrated how difficult it had been to convince residents to segregate household waste themselves and to pay a fee for a system operating on a voluntary basis and in parallel to that run by the municipality. Many residents were not convinced that it made sense to 'keep' the waste in the neighbourhood, especially given the stench emanating from the composting facilities. Thus, securing residents' acceptance of the new system was as difficult as securing municipal support for the changes. Over the years, the situation changed slowly. The 2012 'garbage crisis' marked a watershed as it led to heightened public awareness around the problem of waste. But also, more gradually, there was a change in attitudes and practices related to waste due to the work of new civic organisations, enterprises and networks engaged in solid waste management. The formalisation of the solid waste policy that made segregation at source mandatory helped instil the discipline of everyday practices

of waste segregation among citizens as it gave a more compelling argument for residents' associations to enforce the rules.

- 16 Our material also highlights the role of technology in shaping these efforts. Many community leaders use information technology, and in particular Internet-based social networks, to communicate regarding their activities but also to mobilise and organise initiatives. For example, one group leader created software to monitor residents' compliance with waste segregation rules, with data entered by domestic helps who collect the garbage being immediately processed and an SMS being sent to those residents who have failed to properly segregate household waste. Besides, the process of composting wet waste calls for the use of technology, which can be used for large installations in the case of a gated enclave or a neighbourhood. We studied the first such initiative in Bangalore: in 1995 the 'Scientific Handling of Waste Society' (SHOWS) was created in JP Nagar by a middle-aged couple, Mr. and Mrs. Shenoi. It built on research by Mr. Shenoi, a scientist by profession, who engineered a system to compost wet waste 'scientifically', using air pumps and charcoal. This bin composter with active aeration was then tested and used in the Shenoi's own residential area as a facility open to the entire neighbourhood. Here, the availability of a technology drove a larger initiative that aimed to decentralise waste management.
- 17 During our fieldwork, we noticed the close ties between these various groups as well as formal networks constituted around NGOs, which have served to unite the city's middle classes around the issue of decentralised waste management. A remarkable example is the Solid Waste Management Round Table (SWMRT), which was created in 2009 when 'various organisations, individuals and vendors all working in the field of waste management decided to start meeting on a weekly basis to exchange ideas, share experiences and come out with a common agenda for Bengaluru's solid waste management based on [...] best practices' (SWMRT, 2009). The SWMRT comprises 22 members, including many neighbourhood activists, three engineers (and activists), one medical doctor, two journalists and several founders or members of NGOs. The round table has raised public awareness of the risks of unmanaged waste: '[...] from soil to ground water to farm products [...] SWMRT has proven that by managing waste employment [...] income is generated especially for the informal sector'. Importantly for our argument, the SWMRT gathers together a variety of organisations in the city on one common platform with the explicit objective of exerting stronger collective pressure on municipal policies and practices. In regular meetings with these authorities and with local bureaucrats and officers in charge of waste management or pollution, members have sought to shape solid waste management policy. Another important channel of influence, which we examine in the next section, is the judiciary, whose orders were crucial for the formulation of a comprehensive public policy in the aftermath of the 'garbage crisis' of 2012. It was then that the 'policy community' around the idea of decentralising waste management came together and also dominated the public debate. In our view, Bangalore thus evinces a very specific constellation of actors and factors conducive to an environmental activism—driven by a civic sense and idealism and technological interests and economic goals—that has constituted a virtuous circle.

4. Shaping Policy through Civic Activism and Judicial Interventions

4.1 Engagement with the Judiciary by a Diverse 'Policy Community'

- 18 Bangalore was the first metropolitan city in India to adopt a comprehensive solid waste management policy following the principle of decentralisation. The 'Municipal Solid Waste Management Rules' on which the policy was based had been drafted at the central government level in 2000. These rules stipulated that municipal authorities encourage citizens to segregate waste at source, so that biodegradables could then be processed in a composting or anaerobic digestion facility, and that only non-recyclable, non-biodegradable or inert waste be sent to landfill facilities (Kumar et al., 2009). However, when citizens filed cases before the High Court of Karnataka, these guidelines were yet to be implemented by any municipality or local body (Kumar et al., 2009). What is unique to Bangalore is that the municipal policy was directed, both in its guiding principles and in its detailed provisions, by the judiciary. In our view, the comprehensiveness of the intervention on the 'garbage issue' was a result of the policy community that had gradually come together around the question of waste. During our fieldwork in 2013-15, the 'need' for a policy was expressed by all members of this rather diverse policy community, comprising middle-class citizens and activists, NGOs, and social entrepreneurs working in the waste sector, including those working with the informal sector. Hence, the interests that this community represented were much broader than those voices that call for the cleaning and beautification of Indian cities. While tracing the constellation of actors engaged in the formation of the city's solid waste management policy, we also came across several NGOs and social enterprises involved in social and economic activities related to waste. For example, SAHAAS, a social enterprise involved in waste composting and recycling employed some 70 people at the time of our interview in May 2014. Wilma Rodriguez, a co-founder of SAHAAS, felt that conditions in urban India were conducive to composting wet waste, as both cheap labour and technology were easily available. But she also indicated the need for government support for the new measures. Commenting on the availability of advanced technology for decentralised waste composting suited to the needs of Indian cities, she insisted that its use could not be left to voluntary engagement alone but needed state support. In her view, the government and the municipality in particular could contribute to promoting composting by buying compost, for example for use in public gardens, or by providing other incentives. Pushing for the formulation and implementation of a solid waste management policy based on the principle of decentralisation, her organisation—also a member of the SWMRT—had developed contacts with public authorities with a view to influencing policy making. It monitored policy implementation through direct interactions with municipal authorities as well as by filing a PIL in the High Court. SAHAAS was one of the organisations to advocate that a distinction be made between individual household-generated waste and bulk waste generators, a distinction that was used by the High Court of Karnataka in the directions that it gave to the Bruhat Bengaluru Mahanagara Palike (BBMP), Bangalore's municipal corporation.
- 19 The coalition of individuals and organisations that advocated decentralising waste management was also active in moving the judiciary through the filing of public interest

cases in 2012. Two individual citizens, Kavitha Shankar and G.K. Mohan, filed a first PIL in August 2012 before the High Court of Karnataka to seek directions for proper waste management. The closure of Bangalore's main landfill—in the village of Mavalipura, 30 kilometres from the city—by the Karnataka State Pollution Control Board had led to a breakdown in the system of waste disposal. With few alternative sites at which to dispose of waste, most garbage piled up uncollected in the streets of Bangalore. This untenable situation triggered the first legal action. The 'garbage crisis', covered daily by the media, led to a vociferous public debate and intense criticism of the municipality's inability to dispose of waste. Civil society organisations, including ESG and the SWMRT, took the opportunity to make a strong case for the decentralisation of the waste management system.² With the worsening of the situation, the Karnataka State Pollution Control Board (KSPCB) was pressurised by the municipality to temporarily extend the authorisation to operate the landfill at Mavallipura. A coalition of civil society organisations then filed a second PIL, in November 2012, which challenged the order of the KSPCB to reopen the closed landfill. In addition, it sought directions to 'enforce progressive ways to manage Bangalore's waste, based on a model of decentralised administration and segregation of waste at source'. In November 2012, a detailed plan of action entitled 'Action Plan to ensure Bangalore transforms into a wasteless city from its current status of "garbage city"' was drafted by these organisations and submitted to the court.³

- 20 The petitioners (ESG, SAAHAS, the SWMRT, Hasirudala and Dalit Sangarsh Samithi) were a broad coalition of civil society organisations comprised of NGOs involved in a variety of issues related to waste in a plurality of sites, from the city to nearby villages. For several years local communities had mobilised with the assistance of the Dalit Sangarsh Samithi (Dalit Struggle Committee) and ESG demanding that the hazardous landfill of Mavalipura be shut down as it was having a highly adverse impact on the health of villagers living nearby.⁴ ESG had also organised complementary campaigns advocating for recognition of the work of solid waste workers in Bangalore (see Lutringer, 2017) and promoting decentralised waste management at the household level based on segregation at source (Lutringer, 2015). The issues involving the informal sector had been framed by Hasirudala, an NGO that has engaged with waste workers in the informal sector.
- 21 The 'garbage crisis' spurred the judicial activism of the High Court of Karnataka, which was an intervention into municipal policy as well as into administrative practices, as the Chief Officer of the KSPCB, who played a key role in the decision to close the Mavallipura landfill, put it in an interview with us:

Yes, this crisis had a positive impact on the policy matter of the BBMP and now something has started in a systematic way and fortunately or unfortunately, even the Honourable High Court of Karnataka has interfered in that [...]; it is a major intervention of the High Court, if they could be able to achieve something. (Interviewed on 20 May 2014)

- 22 The court grouped together the PIL filed by civil society organisations and those filed by Kavitha Shankar and G.R. Mohan. The Principal Bench of the High Court of Karnataka issued a series of directions on 22 November 2012, directing BBMP to prepare a plan of action within three days to manage waste sustainably without dumping it at villages.⁵ The PILs continued to be regularly heard by the Division Bench of the High Court, which continued to issue directions to erring public authorities. Quick to react to these, on 1 October 2012, BBMP started to promote the segregation of waste at source as the

fundamental basis of its solid waste management policy and subsequently formalised detailed guidelines to this effect.

4.2 The Larger Policy Context

- 23 The new policy was thus framed around the principles of i) separate collection and management of waste from bulk generators, a category that includes large apartment complexes, corporate campuses, schools, malls and so-called tech parks, ii) decentralised waste processing, and iii) scientific landfill management. The 80-page policy document released to the public for comments in December 2012 recognised the need to set up systems for door-to-door collection, segregation and transportation. It also detailed the conditions for the involvement of the private sector. It recommended house-to-house collection contracts to waste pickers/NGOs and self-help groups and reiterated the responsibility of contractors to observe labour laws—a key issue that waste workers had been fighting for for many years. The court directed to ‘promote composting or bi-methanation of biodegradable waste locally, and to recover recyclable waste by engaging various civil society and entrepreneurial partners in such management’. Our interlocutors, both NGOs and those in the social entrepreneurship sector, were favourably inclined towards the policy; some even considered it to be ‘progressive’, but all lamented its lack of implementation by the municipal administration. Biyani and Anantharaman (2017, this issue), in their analysis of the changing roles of the different stakeholders under the new system, examine how the policy *could* be put into practice effectively. They argue that a transition to a more sustainable system will entail a transformation of the relationships between the state and citizens and between the formal and informal economies.
- 24 Our material also points to the key role of small businesses, such as SAHAAS, that are advocating decentralisation, as opposed to the big contractors involved hitherto in the highly profitable garbage business, contractors who were provided with lucrative contracts by the municipality for transporting the city’s garbage to the nearby landfills. Decentralised schemes are often described as providing better income and employment options to the underprivileged sections of society (Unnikrishnan et al., n.d.). In addition, composting plants provide employment opportunities for waste collection, sorting and composting, or in ancillary services (e.g. drivers, secretaries, supervisors and accountants). In small-scale businesses, these may also be part-time jobs (Ali and Harper, 2004, 22-23). While some NGOs, community groups and small-scale businesses involved in providing technologies and services for composting have been pushing for the full implementation of the decentralisation of waste, strong countervailing forces also need to be taken into account. A senior member of the expert panel on solid waste management appointed by the municipality, quoted in Siraj (2014), pointed to an ‘unbreakable nexus between corporators, officials and garbage contractors who do not want segregation at source and biomethanisation of the waste at ward level’ as they benefit from the trucks ferrying the garbage. Garbage is thus also good to think about power asymmetries in the waste sector, where large sums of public (and private) money are involved. Of the three types of solid waste management activities funded by municipalities—that is to say, collection, transport and disposal, it is the first two (collection and transport) that use up most of the budget in Indian cities (Sharholly et al., 2008). In Bangalore some 500 trucks are estimated to be used daily to carry garbage to

landfills. The so-called garbage mafia, with lucrative contracts for the transporting of waste and for landfills, has much to lose from decentralisation and the inclusion of small businesses. Our civil society informants discussed these problems in interviews with us, pointing out that the flawed tendering system entailed considerable scope for corruption. The court also directed the municipality of Bangalore to comprehensively revamp the existing mechanism for the collection and handling of waste by private contractors, as it found the practice to be inefficient, ineffective and against the public interest. Ironically, the new system that the municipality of Bangalore put in place to implement this direction was also contested by appeal to the judiciary, this time by a coalition of contractors who appealed to the Supreme Court. But in June 2013 the Supreme Court rejected their plea, which had challenged the new tender process initiated by the municipality of Bangalore in 2012.

- 25 A serious problem of Bangalore's waste management system is that the system of disposal relies almost exclusively on landfills.⁶ Over the years, the actual or proposed sites of waste disposal in the villages surrounding the city increasingly turned into sites of protest and resistance to garbage dumping. Villagers came together to block roads, entrances to landfills and waste-processing units, thus preventing garbage-laden trucks from reaching the units. After the closure of the Mavallipura landfill, both the garbage disposal problem and popular resistance to it were displaced to the village of Mandur. The closure of Bangalore's main landfill site due to local protest and court cases thus fuelled the 'garbage crisis' in the first place and compelled citizens and the court to radically rethink the issue of waste. For urban waste management is not an urban issue alone; it also affects rural areas on the city's outskirts, which become garbage dumping grounds (Vija and Narain, 2016). The High Court of Karnataka emphasised the fundamental duty of public authorities 'to provide a clean and healthy city for all', but also the need to 'sustainably manage waste without resorting to dumping on villages'. It, therefore, also affirmed that villagers have a fundamental right to a clean environment. The public debate as covered by the local English-language newspapers, which are usually seen to represent the middle class's interests, reported on the villagers' protests in great detail. Middle-class activists were not only aware of the problems faced by villagers due to their ties with their village communities, but also due to their broad understanding of the different aspects of the garbage problem. The statement made by the civic platform '2Bin1Bag', whose system of three-way segregation was endorsed by the court in its direction of December 2015 (Akshatha and Shree, 2015), is telling:

Let's Stop this here, not create another Mandur-In the meantime, the BBMP is busy scouting for another village to prey on. Village after village is being converted into toxic wastelands in this quest for an instant solution. No villagers want to house our waste. Why should they? Who gave us the right to contaminate their lives in the name of keeping our surroundings sterile?⁷

- 26 We suggest that issues related to poor urban governance, strong civic activism and concern for environmental sustainability in the face of the growing 'garbage crisis' together influenced the urgent judicial interventions. The judge spent a whole day visiting decentralised waste management projects and then directed that the practice of landfilling, which had caused significant environmental and public health problems in the villages, be abandoned. Decentralisation entailed, therefore, both a technical and a political dimension. Technically, 'every ward should have at least three segregation and wet waste processing stations' according to the court's directions. At the political level,

the Karnataka State Government was directed in January 2013 to immediately establish ward committees.⁸ The objective of the constitution of these ward committees, as explicated by the petitioners, was to ensure the direct involvement of citizens, both in monitoring the decentralised operation of local waste management and in civic affairs in general. But, ahead of the election of these committees, there remained a deliberate lack of information provided by public authorities on the process of candidacy for ward elections. Civil society organisations, such as ESG, which organised a public workshop in which we participated in May 2014, sought to partially fill that gap. This workshop was intended to inform the public of the stakes of ward elections and of the responsibility of ward representatives for a ‘greener, cleaner, safer, water-secure and healthy’ city. Around a hundred people participated in this meeting, which indicated that little information on the election of ward committees had been circulated up until that point. The increased public participation mandated by policy reforms has led to the emergence of certain groups as significant forces in local governance (Zérah, 2007). But this constitutional provision has been rather partially and selectively implemented across India (De Wit et al., 2008), and has yet to be translated into concrete new spaces for large-scale civic engagement in Bangalore.

5. Conclusion

- ²⁷ Garbage cuts across issues of environment, health, business, technology and innovation (both technological and social), allowing, therefore, a large and diverse coalition of interests to coalesce. We have examined here the interplay between middle-class environmental activism and judicial interventions, an interplay that shaped the making of Bangalore’s solid waste management policy. In our view, the provisions of the policy must be related to the nature of the judicial activism observed, as well as to the specificities of the policy community that deliberated and formulated the policy. Interestingly, the court also took on the task of directly monitoring policy implementation closely, on a weekly basis. Activism related to and court orders on waste in Bangalore were also unusual in going beyond the problems of the city and a set of typical, urban middle-class issues (management of garbage, public hygiene and a clean city) in order to address larger (environmental and social) rural–urban linkages too. This is one more instance of judicial activism in which Indian courts have promoted good governance (Williams and Mawdsley, 2006, 666), as—for instance—when the High Court of Karnataka directed the municipality to oversee the establishment of elected ward committees. But the court has also explicitly stressed the need for ‘engaging various civil society and entrepreneurial partners in [...] (waste) management’. This is partly a response to civil society pressure for participation in reforming a dysfunctional system, and partly a recognition of the inability of the municipal administration to, alone, solve the vexed set of problems. But it is also in keeping with a neo-liberal urban governance design that expects citizens to contribute by way of investment in urban infrastructure (see Baud and de Wit, 2008, 29) and to involve themselves in policy making and the monitoring of implementation.
- ²⁸ Thus, there has been an increasing involvement of NGOs and activists in shaping the formulation of urban policies, sometimes in ways that were not foreseen in the 74th Constitutional Amendment Act on decentralisation (Nainan and Baud, 2008). Randeria and Grunder (2011), for instance, have explored some of the ambivalent dynamics of the

participation of NGOs in the making, monitoring and implementation of resettlement and rehabilitation policy. Our argument here is that Bangalore evinces a specific constellation of actors and factors facilitating environmental activism, driven by a civic sense and idealism as much as by economic interests and the desire to implement technological solutions. We have delineated some strategies, at the level of households and gated communities, for initiating changes in waste segregation, along with some mechanisms put in place to foster public participation and deliberative decision-making. But we suggest that the corporate sector—and specifically the IT industry, which plays a key role in Bangalore's political economy—was as important in promoting initiatives on how to 'govern' waste as were residents' efforts to move towards more efficient waste management.

- 29 We argue, therefore, that a diverse policy community with a specific coalition of interests pushing for 'better' waste management was already in place even before the 'garbage crisis' of 2012. Some of the NGOs and social movements that were part of the coalition worked both with solid waste workers in the city and with villagers whose health and environment were adversely affected by the landfills containing the city's waste. So the court petitions they filed highlighted these linkages too. The High Court of Karnataka followed them in using a broad conception of environmental justice when it directed that the practice of landfilling be abandoned and that the focus of the new waste management policy be shifted instead to the reduction and segregation of Bangalore's waste. However, although the municipality attempted to reform the system of waste management following these directives, and also adopted and promoted decentralisation as its core principle, landfills continue to constitute the principal form of waste disposal, leading to persistent tensions with villages near which these facilities are located.
- 30 Meanwhile, private efforts to deal with waste have gained momentum. As in other cities, privatisation is also a result of constrained state and municipal budgets as well as the reconfigured powers and levels of municipal authority (Baud and Dhanalakshmi, 2007). Subodh Yadav, the Special Commissioner for solid waste management at BBMP, commenting on the initiatives of 'proactive citizens' in the field of waste management, suggested in a newspaper interview that 'the best course of action will be for the BBMP to support such associations. It will be cheaper than giving out contracts' (Vijetha, 2016). On the other hand, some residents feel that it is 'better to manage their own waste than keep waiting for the BBMP to come and collect the garbage' (Ibid.). Thus, beyond policy changes, court intervention and the efforts of the public authorities, Bangalore's day-to-day solid waste management has been decisively influenced by a range of private initiatives of various kinds, be these driven by middle-class residents actively diffusing 'best practices' within and beyond their neighbourhoods, by corporations working towards changes in their offices as much trying to influence the city administration, or by NGO networks. Civic activism and the daily practices of waste segregation and disposal followed by Bangalore's skilled IT workforce form part of the efforts to render middle-class lifestyles 'cleaner, greener and healthier' and to turn Bangalore into a 'world-class city'. Civic activism can thus be envisioned as an avenue and arena of urban transformation that has blurred and redrawn the boundaries between the private and the public, albeit in a specific, local context.

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NOTES

1. Public interest litigation (PIL) refers to cases filed before a court by an aggrieved party or a third party for the protection of the public interest, but can also be taken up *suo moto* by a court itself. In order for the court to exercise its jurisdiction, it is unnecessary for the victims of rights violations to personally approach the court. Given 'representative standing', whereby concerned citizens or activists can act on behalf of others, this legal instrument is often seen as a means to facilitate 'access to justice' for the poor (Véron, 2006, 2103).
 2. ESG 'Guiding Principles to resolve the current garbage management crisis of Bruhat Bengaluru Mahanagara Palike', August 2012.
 3. 'Progressive, sustainable and immediately feasible ways to manage municipal solid waste', submitted to the High Court of Karnataka by Environment Support Group and anr., Petitioners in WP No. 46523/2012.
 4. The adverse impact on public health in the neighbouring village has been documented meticulously by ESG. See interview with Leo Saldanha and Bhargavi Rao (Lutringer, 2017, this issue).
 5. Directions were issued by the court while hearing the PIL filed by ESG and ors. (WP No. 46523/2012) and other, related PILs (in particular, those filed by Kavitha Shankar, WP No. 24739/2012, and G. R. Mohan, WP No. 30450/2012).
 6. The plan for solid waste management initiated by the municipality under the guidance of the BATF had had a limited impact. Dittrich (2010) estimated that out of the 3,000 tons of waste generated every day in Bangalore, about one-third was collected by the municipality (the rest by private contractors) and sent to treatment plants, while the remaining waste collected by the municipality was dumped in open spaces or on roadsides outside the city (2010, 240).
 7. Website *Divide & Conquer Waste*, <http://www.2bin1bag.in/#!urbancrisis/c5ro> (accessed on 28 April 2017).
 8. Bangalore did not have ward committees at that point, although the 74th Constitutional Amendment in 1992 should have initiated a process of urban decentralisation, providing—among other measures—for the constitution of ward committees in cities with a population of more than 300,000.
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ABSTRACTS

In 2012, Bangalore was the first Indian metropolitan city to adopt a comprehensive solid waste management policy based on decentralisation. This article examines the interplay between middle-class environmental activism and judicial interventions, an interplay that shaped the making of this municipal policy. We argue that the production and implementation of public policy regarding a key service provision like waste collection and disposal is no longer the domain of elected city officials or the city administration alone. The provisions of the policy are

related instead to the nature of judicial activism as well as to the specificities of the policy community that came together following the breakdown of the waste management system. Bangalore evinces a constellation of actors and factors conducive to environmental activism driven by civic sense and idealism, as much as by economic interests and the desire to implement technological solutions. We delineate, on the one hand, some of the strategies of these actors, at the level of households and gated communities, for initiating changes in waste segregation, and—on the other—some mechanisms put in place to foster public participation and deliberative decision-making. We show why activism regarding and court orders on waste in Bangalore were unusual in going beyond the garbage problems of the city to address larger (environmental and social) rural–urban linkages too.

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