

BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH, BHOPAL

Misc. Application No. 58/2014

In

Original Application No. 111/2013

Dr. Subhash C. Pandey Vs. Municipal Corporation, Bhopal & Ors.

**CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE MR. P.S.RAO, EXPERT MEMBER**

PRESENT : Applicant : Dr. Subhash C. Pandey

**Respondent No. 1 : Shri Asad Ullah Khan, Adv. for
Shri Vivek Agrawal, Adv.
Shri Vishesh Gaenpale,
Municipal Commissioner, BMC, Bhopal**

**Respondent No. 2 : Shri Sachin K. Verma, Adv. with
Shri Ayush Dev Bajpai, Adv.
Shri S.N. Mishra, Principal Secretary,
UADD, Govt. of MP
Shri S.K. Beluja, Deputy Director,
UAD, Bhopal**

**Respondent No. 3 &
CECB Shri Shivendu Joshi, Adv. for
Shri Purushaindra Kaurav, Adv.
Shri R.K. Shrivastava, SE,
MPPCB
Dr. P.V. Narsinga Rao
Member Secretary, CECB**

**State of Chhattisgarh : Shri S.S. Chauhan, Adv.
Shri M.K. Raut, Principal Secretary,
Urban Administration**

**RSPCB : Shri Sandeep Singh, Adv.
Dr. D.N. Pandey, Member Secretary,
RSPCB**

**State of Rajasthan : Shri D.B. Gupta, Principal Secretary,
Urban Dev. & LSG, Rajasthan
Shri Sandeep Singh, Adv.**

Date and Remarks	Orders of the Tribunal
Order no. 4 04th February, 2014	<u>Misc. Application No. 58/2014</u> The Learned Counsels appeared on behalf of the MP Pollution Control Board (MPPCB) as well as the State of Madhya Pradesh and submitted their detailed response duly listing the status of implementation of Municipal Solid Waste (Handling & Management) Rules, 2000 (for short MSW Rules) in the Municipal bodies in the

State. We have also heard the Learned Counsels for the State of Rajasthan and Rajasthan State Pollution Control Board (RSPCB) as well as the Learned Counsels for the Chhattisgarh Environment Conservation Board (CECB) and State of Chhattisgarh on implementation of MSW Rules in their States. Misc. Application No. 58/2014 has been filed on behalf of the State of Chhattisgarh for seeking time to submit their response and detailed information on the matter in question. Accordingly, the Misc. Application No. 58/2014 is allowed and stands disposed of. The State of Chhattisgarh is allowed four weeks time for filing their detailed response as per earlier direction.

Shri S.N. Mishra, Principal Secretary, Urban Administration Development Department (UADD), State of Madhya Pradesh submitted that detailed proposals are being submitted to the State Cabinet, Govt. of MP for consideration on the issues which have been discussed and noticed in the earlier orders for implementation of the MSW Rules based on the information which has been submitted to this Tribunal and as soon as a decision is taken, the same shall be conveyed to this Tribunal.

Shri D.B. Gupta, Principal Secretary, UADD, State of Rajasthan as well as Dr. D.N. Pandey, Member Secretary, RSPCB have also indicated the detailed steps which they intend to take in the coming months for implementation of the MSW Rules in the State of Rajasthan and it was submitted that priority is being given by the Administration on the need of strict implementation of the MSW Rules. They have furnished the list of Municipal bodies indicating the existing position of implementation of MSW Rules.

Shri M.K. Raut, Principal Secretary, State of Chhattisgarh submitted that MSW Rules, 2000 are being satisfactorily implemented in about 47 Municipalities in the State through PPP mode and this

model is sought to be gradually extended to other municipalities wherever such method is found viable. Details of the same shall be submitted in the next report which is to be submitted by the State of Chhattisgarh.

On behalf of the Central Pollution Control Board (CECB) it was submitted that the points which have been raised and discussed today and issues raised by the State Pollution Control Boards and the Principal Secretaries of the Urban Administration Development Department of all the 3 aforesaid States in so far as the implementation of the MSW Rules, 2000 are concerned the same will be summarized for examining and giving necessary guidelines to the State PCBs and State Governments. A meeting is being called by the CPCB with the Chairpersons and Member Secretaries of all the State Pollution Control Boards during the last week of this month to discuss various agenda including the issues relating to MSW Rules, 2000 and draft MSW Rules, 2013 which are under consideration by the MoEF for amending the existing rules. It was submitted that this is an annual conference where *inter alia*, issues relating to MSW Rules and Bio Medical Waste Rules are also discussed. In this connection we emphasise the need in this behalf to have representatives of the State Urban Administration Development to participate atleast in the session involving discussion on MSW Rules & Bio Medical Waste Rule to point out the difficulties which they face while implementating the above rules and also to take note of various steps which different States have brought into force for effective implementation of the MSW Rules even to the extent of bringing issues on new R&D and improved technology for this purpose.

From the side of the Government of Madhya Pradesh and the Municipal Corporation, Bhopal it was stated that in principle a decision has been taken for closure of the existing landfill site at Bhanpura Khanti in Bhopal municipal area. It was also submitted that the

proposals for alternate site are in finalization stage. It was further submitted that the proposals will be finalized within six months.

For seeking response of the State of Chhattisgarh as well as action taken by all the three States based upon the discussions and submissions made today, the matter be listed on **14.03.2014**.

.....JM
(DALIP SINGH)

.....EM
(P.S.RAO)

