

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL
BENCH, BHOPAL**

Original Application No. 111/2013 (CZ)

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

and

Original Application No. 148/2014 (CZ)

Nityanand Mishra Vs. State of M.P. & 8 Ors.

and

Original Application No. 36/2014 (THC) (CZ)

Sarvajanik Jankalyan Parmarthik Nyas v. State of M.P. & Ors.

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

PRESENT : Applicant : In person
Respondent No. 1 : Shri Asad Ullah Khan, Adv.
State of MP : Shri Sachin K.Verma, Adv.
Respondent No. 3 : Ms. Parul Bhadoria, Adv. for
& CECB : Shri Purushaindra Kaurav, Adv.
Respondent No. 9 : Shri Om S. Shrivastav, Adv.
Respondent No. 10: Shri Om. S.Shrivastav for
Shri Sunil Shrivastav, Advocate
State of Raj. & RSPCB : Shri Rohit Sharma, Advocate for
Shri Sandeep Singh, Adv.
BMC in O.A. No. 36/2014: Shri Neel Choudhary, Adv. for
Shri Vijay Choudhary, Adv

Date and Remarks	Orders of the Tribunal
Item No. 7, 8 & 9 17th March, 2015	<p style="text-align: center;">Shri Sachin K.Verma, Learned Counsel for the State has submitted the compliance report in pursuance of the order dated 08.01.2015 as also a document showing the tender document and the work order being issued by the Katni Municipal Corporation in respect of one of the two clusters which are to be commissioned shortly for dealing with Municipal Solid Waste management in Madhya Pradesh i.e. at Katni and Sagar. Shri Sachin K.Verma submits that he will submit the details of the documents in respect of Sagar also indicating the time schedule within which these clusters will become operational.</p> <p style="text-align: center;">It has further been submitted that three more clusters are being developed i.e. one each at Bhopal, Rewa and Satna and</p>

feasibility reports in this regard have been submitted to the Government and they are under active consideration. Shri Sachin K.Verma is directed to file the affidavit on behalf of the Government with regard to the aforesaid three clusters and their compliance / approval. As regards the remaining urban areas of the State, about 21 more clusters are planned to be set up as it was submitted by Shri Sachin K.Verma that a total of 26 clusters have been contemplated to take care of municipal solid waste handling and disposal in the State of MP. It has further been submitted that in some of the towns, since the existing system of municipal solid waste handling and disposal is working satisfactorily, the present system may be allowed to continue. It has been submitted that the handling of MSW in the entire State would be commissioned under MSW Rules, 2000 by 2018.

Learned Counsel for the Bhopal Municipal Corporation assisted by Additional Commissioner, BMC, who is present, brought to our notice that so far as the preparation of the rehabilitation site at Haripura is concerned, it is yet to be started. It has also been brought to our notice that the work of rehabilitation of the affected persons from Adampur Chhawani, to the Haripura site which has been earmarked for the same, is not progressing as expected as there is some resistance from the affected persons and therefore, assistance of the District Administration will have to be taken for the aforesaid purpose.

Having heard the Learned Counsel for BMC as well as for the State who also represents the District Administration and the Collector, Bhopal we are of the view that some stringent

efforts will have to be made and coordination with the local authority, Municipal Corporation and the District Administration through Collector and Superintendent of Police will have to be taken in this behalf for ensuring that the local residents who may be affected are informed well in advance about the facilities and schemes which the Government intends to provide to them at the new site at Haripura and the facilities which have been already provided to some extent in the form of laying of electricity lines and giving water connection. Also the facts that each of such affected families is liable to be provided with a cash grant of Rs. 20,000/- by way of rehabilitation package and will be provided with facilities for transporting their belongings to the new location as also the District Administration shall be issuing title deeds (i.e. lease / patta / licence) of the land so allotted to them to be briefed to the affected persons. We accordingly, feel that coordination between the two i.e. the District Administration and local body is essential and for the aforesaid purpose, we deem it proper that the aforesaid task be assigned to Divisional Commissioner, Bhopal.

Let notice be issued to the Divisional Commissioner, Bhopal and be given Dasti to the Learned Counsel for the State Shri Sachin K.Verma who shall apprise the Commissioner with regard to the facts of the present matter and he shall call for a meeting with the Commissioner, BMC along with concerned officials of the BMC and Collector, Bhopal along with concerned officials of Revenue Department before the next date of hearing and submit a work plan before this Tribunal by

15.04.2015 with advance copy to the Applicant. The Applicant may collect the same from the Registry. The Divisional Commissioner, Bhopal shall remain present for explaining the details of the manner in which the said rehabilitation process is to take place to facilitate the establishment of new land fill site at Adampur Chhawani Bhopal.

In the meanwhile, if the application is not submitted seeking EC for the site at Adampur Chhawani by the Municipal Corporation, they shall make application to the concerned authority and SEIAA / MPPCB shall take steps for enquiring into the necessary requirements pertaining to the same and submit their response within one month of the receipt of the application.

List the matter on **17th April, 2015.**

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(DALIP SINGH)

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(P.S.RAO)