

**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. 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. RANJAN CHATTERJEE, EXPERT MEMBER**

**PRESENT : (O.A. No. 111/20134)**

<b>Applicant :</b>	<b>Dr. Subhash C.Pandey</b>
<b>Respondent No. 1 :</b>	<b>Shri Neel Choudhary, Adv. for Shri Vijay Kumar Choudhary, Adv.</b>
<b>Respondent/CPCB :</b>	<b>Shri Sandeep Singh, Adv.</b>
<b>Respondent/MoEF :</b>	<b>Shri Om S. Shrivastav, Adv.</b>
<b>CECB/MPPCB</b>	<b>Ms. Parul Bhadoria, Adv. for Shri Purushaindra Kaurav, Adv.</b>
<b>Respondent/MoUD :</b>	<b>Shri Om S.Shrivastav, Adv. for Shri Sunil Shrivastav, Adv.</b>

**(O.A. No. 36/2014)**

<b>MPPCB:</b>	<b>Shri Sandeep Singh, Adv.</b>
<b>BMC :</b>	<b>Shri Neel Choudhary, Adv. for Shri Vijay Choudhary, Adv</b>

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 1, 2 &amp; 3 25<sup>th</sup> May, 2015</b>	<p>We have heard the Applicant, as well as Learned Counsel for the State assisted by the State Sanitation Nodal Officer and Learned Counsel for the BMC as well as the Learned Counsel for the MPPCB. It has been submitted before us that in respect of the municipal solid waste disposal action plan, the State intends to deal with the same on a cluster based approach. For these 26 clusters comprising of 378 local bodies which include the municipal boards, corporations and cantonment boards in the State of MP has been prepared. In respect of two such clusters at Katni and Sagar, the tenders have been received, concessionaire appointed and DPRs are under preparation. Among the salient features of the new approach</p>

based upon the appointment of contractors for doing the aforesaid job, it will start with the door-to-door collection and in case of Katni and Sagar clusters which accounts for 16 municipalities and local bodies, the contractors will carry out door-to-door collection w.e.f 1<sup>st</sup> July, 2015. Simultaneously the site preparation is also under process and will be completed by January, 2016. While carrying out the door-to-door collection, emphasis will also be on segregation and the responsibility of carrying out the segregation shall be of both the generators as well as the contractors who will go for the door-to-door collections. It is submitted that care has been taken for reuse / recycling of such material which may be possible and in the remaining component part for other uses, composting is a major factor. The companies i.e. contractors already have tie-ups for disposal of the compost and marketing it. The third cluster of Rewa – Satna is also underway and by the end of July, the tenders would be floated and the remaining portions shall follow thereafter.

It has been submitted that as far as BMC is concerned, from Adampur Village, more than 90 families have already been shifted. They have been shifted to a specific site and also given the compensatory amount. A few families still remain to be shifted and in their case, the decision was not be taken because their names did not figure in the initial surveys that were carried out. However, it is submitted before us that decision has now been taken even in the case of the remaining families whose names did not figure in the initial surveys and that they too would be provided rehabilitation and compensatory amount as in case of similarly situated persons

who have been asked to shift from Adampur site.

The applicant drew the attention of the Tribunal during the course of hearing to the fact that at present at the existing site at Bhanpur, the Municipal Authorities are carrying out the levelling work in an unscientific manner. It is given out before us that technical persons have been consulted in the matter and based upon the factual report submitted and the guidance provided in this behalf and also the requirement under the Rules of 2000, the BMC would undertake the closure of existing site at Bhanpur in accordance with the aforesaid procedure. Applicant pointed out that care must be taken while carrying out the closure work to ensure that since the existing site was not a site prepared in accordance with the rules, the issues that primarily are of concern with regard to such closure activity particularly in the form of contamination of the ground water as well as release of noxious gases into the air and atmosphere both need to be taken care of. The Counsel for the BMC as well as the Learned Counsel for the State shall on the next date of hearing submit for our perusal the report of the consultant in this behalf and what draft measures and plan has been prepared by the Bhopal Municipal Corporation for the closure of the existing site.

For submitting the aforesaid information and also whether the work on the two cluster sites of Katni and Sagar as information provided before us has commenced. Let the matter be listed on **16<sup>th</sup> July, 2015.**

.....JM  
(DALIP SINGH)

.....EM  
(**RANJAN CHATTERJEE**)



