

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 38/2013(T_{HC})

Dera Sandhu Ashram V/s State of Punjab & Ors.

CORAM: HON'BLE SHRI JUSTICE V. R. KINGAONKAR, JUDICIAL MEMBER
HON'BLE SHRI P.S. RAO, EXPERT MEMBER
HON'BLE SHRI RANJAN CHATTERJEE, EXPERT MEMBER
HON'BLE SHRI B.S. SAJWAN, EXPERT MEMBER

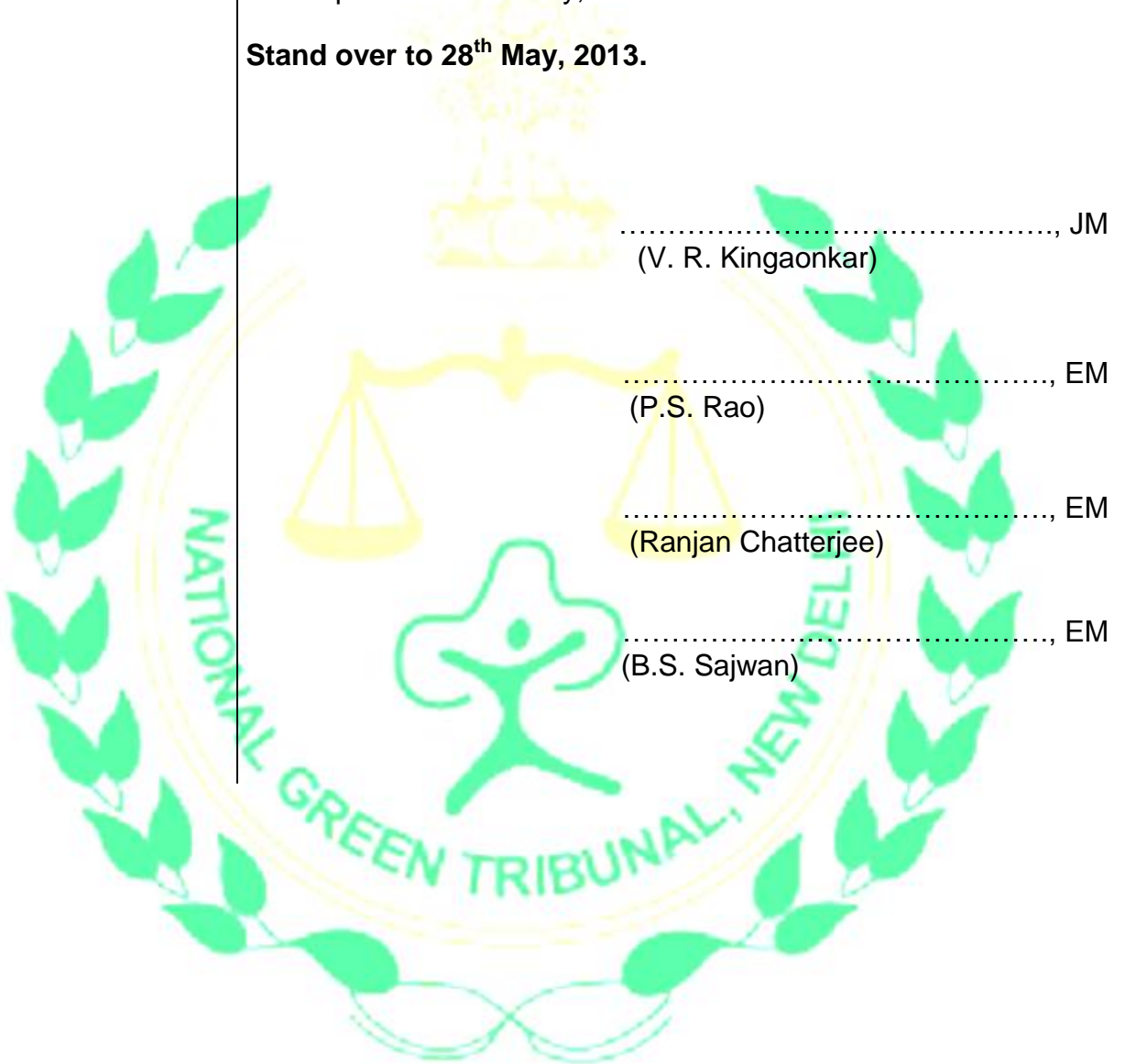
Applicant / Appellant : Mr. Puneet Agrawal, Adv.
Respondents No. 1 & 2 : Mr. Abhimanyu Garg, Adv.
Respondent No. 3 : Mr. Dhiraj
Respondent No. 4 : Mr. Ashish Verma and Mr. Anup Singh, Adv.
Respondent No. 5 : Mr. Anil Aggarwal, Adv.

| Date and Remarks | Orders of the Tribunal |
|-------------------------------------|--|
| <p>Order No. 5 May 24, 2013</p> | <p>We have heard Learned Counsel for the parties.</p> <p>We have also seen the report filed by the Punjab State Pollution Control Board (PSPCB).</p> <p>Even though the Writ Petition was pending for a long period before the Hon'ble High Court of Punjab and Haryana the Municipal Committee, Mansa did not take any serious action in order to implement the Municipal Solid Wastes (Management & Handling) Rules, 2000. The inspection report filed by the Pollution Control Board shows that the garbage/litter is spread all over the place and is not taken care of as proper dumping ground and the management of solid waste is totally without any careful planning. In other words, the photographs and the report, <i>prima facie</i>, indicate that the Municipal Committee/Council, Mansa has failed to take any affirmative action to manage the municipal solid wastes. The learned counsel for the Municipal Council, Mansa submits that a copy of the report is received only yesterday and therefore, some time may be granted to give response.</p> <p>Considering the emergency and seriousness of the problem, we do not think it proper to grant much time. We direct, therefore, that the Chief Executive Officer, Mr. Surender Kumar Gupta, Municipal Council, Mansa shall personally appear before this Tribunal along with relevant file pertaining to the subject of Municipal Solid Wastes Management Plan and implementation thereof on the scheduled date with explanation as to why due</p> |

steps have not been taken in this behalf. He shall file his own affidavit along with relevant documents in the context of the present status report as well as the difficulties in the municipal solid wastes management plan.

We would be constrained to consider other options, if it is found that there is a lapse on the part of the Municipal Council and has failed to implement the plan as per Rules. The Counsel for the Respondents No. 1 & 2 shall also take proper instructions and file the response on 28th May, 2013.

Stand over to 28th May, 2013.



....., JM
(V. R. Kingaonkar)

....., EM
(P.S. Rao)

....., EM
(Ranjan Chatterjee)

....., EM
(B.S. Sajwan)