

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

**Application No. 40(T<sub>HC</sub>) of 2013**

**And**

**Application No. 34(T<sub>HC</sub>) of 2013**

**And**

**Original Application No. 36(T<sub>HC</sub>) of 2013**

**And**

**Application No. 21(T<sub>HC</sub>) of 2013**

**IN THE MATTER OF:**

**People for Transparency Through Kamal Anand  
Vs.**

**State of Punjab & Ors.**

**And**

**Pathankot Welfare Society Vs. State of Punjab & Ors.**

**And**

**Rajinder Singh Vs. State of Punjab & Ors.**

**And**

**Davinder Kumar Vs. Union of India & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE DR. D. K. AGRAWAL, EXPERT MEMBER  
HON'BLE DR. G. K. PANDEY, EXPERT MEMBER  
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER**

**Present: Appearance in Application**

**No. 40(T<sub>HC</sub>) of 2013**

**Applicant**

**Respondent No. 1:**

**Respondent No. 4:**

**Respondent No. 5:**

**Appearance not given**

**Mr. Anil Soni, Advocate**

**Mr. P. N. Puri, Advocate and Ms. Reeta Puri, Advocate**

**Mr. A. R. Takkar, Advocate, Ms. Gurinderjit Advocate and Ms. Saumya Jain, Advocate**

**Application No. 34(T<sub>HC</sub>) of 2013**

**Applicant**

**Respondent No. 1:**

**Respondent No. 4:**

**Respondent No. 5 & 6:**

**Appearance not given**

**Mr. Anil Soni, Advocate, Mr. Bala Murugan, Secretary, Local Govt.**

**Mr. P.N. Puri, Advocate with Ms. Reeta Puri, Advocate**

**Mr. A. R. Takkar, Advocate, Ms. Gurinderjit Advocate and Ms. Saumya Jain, Advocate**

**Application No. 36(T<sub>HC</sub>) of 2013**

**Applicant**

**Respondent No. 1:**

**Respondent No. 4:**

**Respondent No. 5:**

**Mr. Rajinder Singh, Advocate and Mr. J. K. Sharma, Advocate**

**Mr. Anil Soni, Advocate**

**Mr. A. R. Takkar, Advocate, Ms. Gurinderjit Advocate and Ms. Saumya Jain, Advocate**

**Mr. P.N. Puri, Advocate with Ms. Reeta Puri, Advocate**

**Application No. 21(T<sub>HC</sub>) of 2013**

**Applicant**

**Respondent No. 1:**

**Respondent No. 3:**

**Respondent No 8 & 9:**

**Respondent No 11& 12 :**

**Respondent No 12 to 16:**

**Ms. Neelam Rathore, Advocate**

**Mr. Rajkumar, Advocate**

**Mr. A. R. Takkar, Advocate, Ms. Gurinderjit Advocate and Ms. Saumya Jain, Advocate**

**Mr. Shubham Bhalla, Advocate**

**Mr. Manjit Singh, Advocate**

**Mr. Anil Soni, Adovate**

Date and Remarks	Orders of the Tribunal
<p><b>Item No. 6,7, 11&amp;12 May 24, 2013</b></p>	<p>The Secretary of Local Government, Punjab, the Executive Officer of the Municipal Council Mandi Gobin and Municipal Council Sangrur, and Commissioner cum Deputy Commissioner of Municipal Corporation, Pathankot are present in person.</p> <p>After hearing the learned counsel appearing for the parties as well as the Senior Officers present before the Tribunal. We must notice that the Government of Punjab primarily appears to be interested in resolving issue of hazards of municipal waste collection and disposal. It is stated that the matter is being examined at highest level and a plan is under preparation.</p> <p>Learned counsel appearing for Pollution Control Board brings to our notice that similar stand was also taken before the Hon'ble High Court and the High Court had directed taking of short term measures which have not been taken till date in its entirety, and the matter lingers at the planning stage.</p> <p>Be that as it may. We direct all the public Authorities of various districts of Punjab and the Government of Punjab that they shall ensure that the municipal waste is not dumped on road sides and they would take all precautionary as well as punitive measures to ensure that the municipal waste is not thrown on the roads and streets of the State of Punjab.</p> <p>Besides this, the Secretary shall place before us a comprehensive plan relating to short term as well as long term measures which can be taken forthwith. The short term measures would include identification of the sites, preparation of the sites scientifically by compaction of earth laying of membrane and disinfecting the municipal waste dumped there. After dumping the same, the same shall be covered by soil/clay, thereafter is covered by polythene or any other appropriate cover. Disinfectant shall be sprayed every week upon such collection. These shall be short term measure which should be taken forthwith without</p>

any further delay by all the public Authorities in various districts of State of Punjab.

The Secretary will ensure that all the public Authorities carry out these short term measures without delay and default. He will be at liberty to bring to the notice of the Tribunal any defaulting body, its Officers who then shall be dealt in accordance with law. While establishing such sites, the Pollution Control Board shall without delay issue consent and/or authorization order with appropriate conditions in accordance with law. We make it clear that no matter will be kept pending by the Pollution Control Board beyond the period of two weeks.

The long term planning would include establishment of segregation plants and taking of measures and methodology by which the waste so collected shall be disposed of. Let the complete technical plan including proposal for incinerator with possible financial implications be placed before the Tribunal on the next date of hearing. All concerned shall cooperate fully with the Secretary concerned to ensure that the above orders are complied with, and the plan is prepared and implemented with further directions of the Tribunal.

Once the plan is approved, the Pollution Control Board will ensure grant of its consent subject to such conditions as it deemed proper and in accordance with law under the Air, Water and Environment Protection Act.

We reiterate that in the meanwhile, removal of municipal waste from street and respective roads shall be carried out and the Corporations shall comply with the orders herein without any further delay. Removal of such waste shall be done with covered trucks and no open burning of municipal waste should be effected at the sites in question.

List on 23<sup>rd</sup> July, 2013 as prayed, when the Secretary to be present in Court along with the other Officers.

Liberty to the learned counsel appearing for the parties to file Affidavits, if any, in the Registry during the course of the day.

This order with all its rigor shall apply to the State of Haryana as well as UT Chandigarh.

.....,CP  
(Swatanter Kumar)

.....,JM  
(U.D. Salvi)

.....,EM  
(Dr. D. K. Agrawal)

.....,EM  
(Dr. G.K. Pandey)

.....,EM  
(Prof. A. R. Yousuf)

