

**BEFORE THE PRINCIPAL BENCH  
NATIONAL GREEN TRIBUNAL  
NEW DELHI  
CIRCUIT BENCH AT SHIMLA**

**Application No. 256(T<sub>HC</sub>)/2013  
(M.A. No. 351/2014 & M.A. No. 366/2014)  
CWPII No. 28 of 2011**

**IN THE MATTER OF :**

**Abhishek Rai Vs. State of HP & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER**

**Present:**

<b>Petitioner:</b>	<b>Mr. Bimal Gupta, Advocate.</b>
<b>State of HP:</b>	<b>Mr. Anoop Rattan, AAG and Mr. Vikas Singh Attri, DAG</b>
<b>Respondent No. 4:</b>	<b>Mr. T.S. Chauhan, Advocate</b>
<b>Respondent No. 5:</b>	<b>Mr. Naveen K. Bhardwaj, Advocate</b>
<b>Respondent No. 7:</b>	<b>Mr. Paras for Mr. Prem Singh, Adv.</b>
<b>Respondent No. 8</b>	<b>Mr. Dhruv Shaunak for Prakash Kashyap, Adv.</b>
<b>Respondent No. 9:</b>	<b>Mr. Sanjeev Sood, Adv.</b>

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 11 June 25, 2014</b>	<p>We direct the learned Counsel appearing for the State of Himachal Pradesh and ACC to file a joint affidavit with report before the Tribunal before the next date of hearing clearly stating as to what is the extent of Municipal Solid Waste (MSW) that is generated by each of the Corporations/Councils/Panchayats of Mandi, Kullu, Manali, Sunder Nagar, Bhuntar and Shahtalai, etc.</p> <p>Out of the total MSW generated every day, how much is the plastic waste generated, where and how the said plastic waste is disposed of. This affidavit shall be prepared after verification of the reports of the respective Councils/Corporations/Panchayats and personal visits, if necessary.</p> <p>Learned Counsel appearing for the Applicant has placed on record before us an affidavit dated 24.06.2014 showing that the orders of the NGT are being flouted with impunity and river Beas is being polluted even by the Government Departments. According to him, the Departments are throwing the waste directly into the river, sewage is being discharged into the river and even the solid waste is being dumped on the banks of the river and even into the river. It is also being burnt.</p> <p>Copies of the affidavit has been furnished by the learned Counsel appearing for the Applicant to the Counsel appearing for</p>

the State and the Counsel appearing for the State clearly stated that they would take immediate action and would put up an action taken report before the Tribunal by the next date of hearing. Whichever persons and officers are found to be responsible including private individuals, their details would be filed along with reports to whom the NGT would issue notice for initiating contempt of court against them and payment of compensation.

List on 13<sup>th</sup> August, 2014.

**M.A. No. 351/2014**

M.A. No. 35/2014 is allowed subject to just exceptions.

**M.A. No. 366/2014**

This miscellaneous application is filed with a prayer for extension of time for filing the documents. This application is allowed subject to just exceptions.

Both these miscellaneous applications are disposed of.

.....,CP  
(Swatanter Kumar)

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

.....,EM  
(Dr. R.C. Trivedi)