

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

**Application No. 168(T_{HC})/2013
CWP No. 6114 of 2012
(M.A. No. 36/2014)
And
Application No. 1 of 2014
M.A. Nos. 3 & 321 of 2014**

**Karan Singh Vs. State of HP & Ors.
And
Gram Panchayat Totu V/s State of H.P. &Ors.**

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

Present:

Petitioner:	Mr. Jatinder S. Bhogal, Sr. Adv. along with Mr. Tarunjeet Singh Bhogal, Adv.
Applicant:	Mr. Karan Singh applicant in person and Mr. Pawan Sharma
State of HP:	Mr. Anup Rattan, AAG and Mr. Vivek Singh Attri, Dy. A.G.
Respondent No. 1:	Mr. R.V. Singh Adv.
Respondent No. 2:	Mr. Mr. Vivek Singh Thakur, Adv.
Respondent No. 3:	Mr. Vivek Singh Thakur, Adv.
Respondent No. 4:	Mr. Harish Sharma, Adv. For Project Proponent Ms. Charu Gupta, Adv.
Respondent No.6:	Mr. Sandeep Sharma, ASGI Mr. Anil Kumar God, for M.C. Solan Mr. Kulbhushan, Adv. For CPCB

Date and Remarks	Orders of the Tribunal
Item Nos. 3&4 August 14, 2014	<p>We have heard Learned Counsel appearing for the parties at some length.</p> <p>It is necessary to issue certain directions to meet the emergent situation created by all the defaulting stack-holders. The fact of the matter is that huge quantity of MSW is lying at the plant untreated and un-segregated. The project proponent blames the Corporation while the Corporation blames the project proponent for not clearing the roads leading to the plant to enable the Corporation to collect inert waste.</p> <p>Learned Counsel appearing for the Applicant submits that the MSW is being dumped in the open in a haphazard manner</p>

and not being regularly sent to the MSW plant at Shimla.

Some photographs have also been brought to our notice showing the hazards resulting from unscientific and improper collection of the MSW and its non-disposal in accordance with law.

In view of the above, we issue the following directions:

1. The project proponent shall run its unit 24 hours everyday till the time the huge quantity of the MSW lying in and around the plant is reduced considerably. For this, the project proponent will not be entitled to additional charges from the state or the Corporation as the case may be.
2. Within three days from today, the project proponent shall clear the entire road of entry to the project and ensure the entry of the trucks of the Corporation to collect the inert waste from the plant.
3. After three days from today, Mr. Pushpender, learned Counsel present in court shall visit the site and shall submit a report as to whether road leading to the plant is clear for collection of inert waste. The report shall be filed before the next date of hearing. His fee is fixed at Rs. 4,000/- to be paid by State at the first instant.
4. The MSW lying at Slogra shall be shifted immediately to the MSW plant at Shimla.
5. The Municipal Council, Solan shall ensure that the MSW lying at Slogra is stored, if necessary, strictly in accordance with the MSW Rules, 2006 and is not scattered all over the city and even in an unregulated manner at the temporary site. Its timely transportation to MSW plant at Shimla shall be ensured

List the matter on 17th October, 2014.

.....,CP
(Swatanter Kumar)

.....,JM
(M.S. Nambiar)

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

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

