

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

(By Video Conferencing)

Original Application No. 168/2019

(With report dated 02.03.2020)

Ramesh Chandra Kapri

Applicant(s)

Versus

State of Uttarakhand

Respondent(s)

Date of hearing: 29.06.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

Respondent(s): Mr. Rahul Verma, AAG for State of Uttarakhand

ORDER

1. This order is in continuation of order dated 17.10.2019 as under:

*“Vide order dated 15.04.2019, a factual and action taken report was sought from the District Magistrate and the District Forest Officer, Pithoragarh. **The report filed on 12.09.2019 is to the effect that proposal for preparing DPR is pending with the Administration. It is further stated that bio-degradable garbage is being buried in the dump yard and non-degradable is being separated and sent to Encholi, 10 kms away from the dumping yard through a contractor. The report shows unsatisfactory state of affairs in violation of mandate of Solid Waste Management Rules, 2016.***

Let the Secretary, Urban Development, Uttarakhand look into the matter and take remedial action and furnish a report within one month by email at judicial-ngt@gov.in.”

2. Accordingly, a further report has been filed by the Secretary, Urban Department, State of Uttarakhand *inter alia* stating as follows:

“5. That in compliance of Solid Waste Management Rules, 2016, DPR costing Rs.636.99 Lakh was prepared and approved by State Government and Central Government and the status of the same is as follows:-

I. That (35% share of Rs.222.95 Lakhs) by Central Government was approved and Rs.111.47 Lakh is released to State Government by Government of India vide letter No.1/18/2015-SBM, dated 19.9.2019.

II. That the request had already been sent by the Directorate of Urban Development to the State Government vide letter No.3050/4/2015-16 (Vol-H) dated 18.10.2019.

III. That funds shall be released soon from State Government and accordingly tender process shall be initiated by the Nagar Palika Parishad, Pithoragarh.

IV. That as soon as tenders process is completed regarding the work of Solid Waste Management Plant, Pithoragarh, and will be functional and operational prepared till 31-03-2021.”

3. Though it is stated that the waste management plant will be functional 31.03.2021, nothing is mentioned about the allegation of dumping of garbage in forest. It has to be ensured that the dumping of garbage does not take place in forest land as alleged.

4. Let further action be taken and progress report as on 31.10.2020 be filed by 15.11.2020 at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

A copy of this order be sent to the Secretary, Urban Department, Uttarakhand by email.

List for further consideration on 26.11.2020.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Satyawan Singh Garbyal, EM

June 29, 2020
Original Application No. 168/2019
AK

