

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

**Original Application No. 199 of 2014
And
Original Application No. 175 of 2013 (T_{HC})
And
Original Application No. 268 of 2013 (T_{HC})
And
Original Application No. 436 of 2015
(M.A. No. 1012 of 2015)
And
Original Application No. 168 of 2013 (T_{HC})
(M.A. No. 36 of 2014 & M.A. No. 417 of 2016)
And
Original Application No. 01 of 2014
(M.A. No. 03 of 2014 & M.A. No. 321 of 2014)**

IN THE MATTER OF:

**Almitra H. Patel & Anr. Vs. Union of India & Ors.
And
Namita Maniktala Vs. State of H.P. & Ors.
And
Court on its own motion Vs. State of H.P. & Ors.
And
Laxmender Singh Vs. State of H.P. & Ors.
And
Karan Singh Vs. State of H.P. & Ors.
And
Gram Panchayat Tutu Vs. State of H.P. & Ors.**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Original Application No. 199 of 2014

**Present: Applicant : Mr. Abhishek Roy and Mr. Abhinay, Advs.
Respondent No. 1: Mr. Vikas Malhotra, Adv. for MoEF
Mr. Anil Shivastava, Mr. Pranav Rishi and
Mr. Sanyam Saxena, Adv. for State of
Andhra Pradesh.
Mr. Raj Kumar, Adv. with Mr. Bhupender
Kumar, (LA) Central Pollution Control
Board
Mr. Raman Yadav and Mr. Dalsher Singh,
Advs. for State of U.P.
Mr. Mukesh Verma and Mr. Devesh Kumar
Agnihotri, Adv. for UPPCB & MPPCB
Mr. V.K. Shukla, Adv. for State of M.P.
Mr. Vijay Panjwani, Adv. for CPCB
Ms. Sakshi Popli, Adv. for NDMC & DJB
Mr. K. Enatoli Sema, Adv. for State of
Nagaland & Nagaland PCB
Mr. Guntur Prabhakar and Mr. Guntur
Pramod Kumar, Advs. for the State of
Andhra Pradesh
Mr. Devraj Ashok, Adv. for State of
Karnataka
Mr. Nishe Rajen Shander and Mr. Gajendra
Khichi, Advs.
Shubham Bhalla and Mr. Vijay Kumar
Dwivedi, Advs.
Mr. Sunny Choudhary, Adv. for MPPCB**

Mr. Ajit Sharma with Mr. Mayanak Aggarwal, Adv.
Mr. R. Rakesh Sharma, Adv. for State of Tamilnadu and Mr. M. Marutha Samy, Adv.
Mr. Pradeep Misra and Mr. Daleep Kr. Dhyani, Adv. for UPPCB
Mr. Suryanarayan Singh, AAG for State of H.P.
Mr. Balendu Shekhar, Adv.
Mr. M. Paikaray, Adv. for State of Odisha and Odisha PCB
Mr. Biraja Mahapatra, Adv. with Mr. Dinesh Jindal, LO, Delhi Pollution Control Committee
Mr. Edward Belho, AAG with Mr. K. Mr. S. Sukumaran and Mr. Bhupesh Kumar Pathak, Adv. for Municipal Corpn. Of Greater Mumbai.
Mr. D. Bharathi Reddy, Adv. for State of Uttarakhand
Ms. Yogmaya Agnihotri, Adv. for CECB
Mr. Jogy Scaria and Ms. Beena Victor, Adv. for State of Kerala & KSPCB.
Mr. Debarshi Bhuyan and Mr. Santosh S. Rebelo, advs. for State of Goa and Goa State PCB
Mr. Jayesh Gaurav, Adv. for JSPCB
Mr. E.C. Vidya Sagar and Ms. Sennifer John, Adv. for Bangalore GH Corpn.
Mr. Anil Grover, AAG with Mr. Rahul Khurana and Mr. Sandeep Yadav, Adv. for Haryana State PCB
Ms. Sapam Biswajit and Mr. Naresh Kumar Gaur, Adv. for State of Manipur and Manipur PCB
Ms. Aruna Mathur and Mr. Avneesh Arputham and Mr. Anuradha Arputham, Adv. for State of Sikkim
Dr. Abhishek Atrey, Adv. for Lakshadweep
Mr. Ranjan Mukherjee and Ms. Aprajita Mukherjee, Adv. for State of Meg.
Mr. Rudreshwar Singh and Mr. Gautam Singh, Adv. for Bihar
Mr. Ravikant Pal and Pragyan Sharma for State of Mizoram and MPCB
Ms. Shibani Ghosh Chowdhury, Adv. for State of Maharashtra, Urban Dev. Department.
Mr. Gopal Singh and Mr. Varsha Poddar, Adv. for State of Tripura
Ms. Puja Kalra, Adv. for North & South MCD
Mr. Sarthak Chaturvedi and Mr. Rohit Pandey, Adv. for Andman and Nicobar
Mr. D.K. Thakur, Adv.
Mr. Siddharth S. Chauhan and Mr. Harish Sharma, Adv. for State of Chhattisgarh
Mr. Tayenjam Momo Singh, Adv. for Meghalaya SPCB
Mr. Shuvodeep Roy, Adv. for Assam PCB
Ms. Priyanka Sinha, Adv. for State of Jharkhand
Mr. Nikhil Nayyar and Mr. Smriti Shah, Adv. for AP PCB and Telangana SPCB
Mr. Suryanarayana Singh, Sr. Addl. Advocate General for State of HP
Ms. Aagam Kaur for Ms. Hemantika Wahi, Adv.



Appeal No. 175 of 2013 (T_{HC})

Present: Applicant
Respondent Nos.1&3: Mr. Suryanarayana Singh, Sr. Addl. Advocate
General for State of Himachal Pradesh

Appeal No. 268 of 2013 (T_{HC})

Present: Applicant
Respondent Nos.1&2: Mr. Suryanarayana Singh, Sr. Addl. Advocate
General for State of Himachal Pradesh

Original Application No. 436 of 2015

Present: Applicant
Respondent Nos.1&2: Mr. Suryanarayana Singh, Sr. Addl. Advocate
General for State of Himachal Pradesh

Appeal No. 168 of 2013 (T_{HC})

Present: Applicant
Respondent Nos.1&2: Mr. Suryanarayana Singh, Sr. Addl. Advocate
General for State of Himachal Pradesh

Original Application No. 01 of 2014

Present: Applicant
Respondent Nos.1&2: Mr. Suryanarayana Singh, Sr. Addl. Advocate
General for State of Himachal Pradesh

	Date and Remarks	Orders of the Tribunal
	<p>Item Nos. 10 to 15</p> <p>September 22, 2016</p> <p>ss</p>	<p>We have heard the Learned Counsel appearing for the parties. We regretfully to note that some of the States have not responded to the orders passed by the Tribunal from time to time. The Ministry of Environment and Forests and Climate Change has notified Municipal Solid Waste Rule 2016 and to these rules Applicant and some others have submitted certain suggestions for better management of Municipal Solid Waste.</p> <p>The Learned Counsel appearing for Andhra Pradesh Pollution Control Board, Odisha Pollution Control Board, Chhattisgarh Pollution Control Board, Madhya Pradesh Pollution Control Board, Maharashtra Pollution Control Board and Uttarakhand Pollution Control Board have stated that suggestions made by the Applicant, Almitra H. Patel are acceptable to them. They in fact support for the suggestions made by the Applicant. None of the other State Board and Government has filed their response thereto. Some of the State Government has filed their own suggestions.</p> <p>We hereby direct Ministry of Environment and Forests and Climate Change and Central Pollution Control Board to file the definite response in relation to the followings:-</p>

(a) The various suggestions submitted by the Applicant, Almitra H. Patel.

(b) Secondly, as the national policy or with reference to various suggestions whether Waste to Energy, Waste to RDF plant and waste to RDF and RDF to power generation, which of the methodology would be acceptable on scientific basis in the various part of the country.

The affidavit by a senior most officer of the Ministry and Central Pollution Control Board should be filed within 10 days from today.

We make it clear that we will not grant any further opportunity and in the event of default the Joint Secretary of MoEF and Member Secretary of the Board shall be present before the Tribunal with answers. If the affidavit is filed then officer need not be present before the Tribunal.

List these cases for final hearing w.e.f. 21st October, 2016 to 25th October, 2016.

We make it clear that we will not grant any adjournment on the request of the any of the parties and these cases would be concluded within the time specified above.

They will be heard on day-to-day basis till concluded.

The date fixed for hearing tomorrow stands cancelled.

We make it clear that the hearing would go on as some Hon'ble Expert Members of the Tribunal also shall come from outside especially for hearing of these cases.

.....,CP
(Swatanter Kumar)

.....,JM
(Raghuvendra S. Rathore)

.....,EM
(Bikram Singh Sajwan)