

ITEM NO.3

COURT NO.4

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SMW (C) No(s). 1/2015

IN RE: OUTRAGE AS PARENTS END LIFE AFTER CHILD'S DENGUE DEATH &
ORS.

Date : 01-11-2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE DEEPAK GUPTAMr. Colin Gonsalves, Sr. Adv. (AC)
Mr. Choudhary Ali Zia Kabir, Adv.
Ms. Olivia Bang, Adv.

For Petitioner(s)

For Respondent(s) Ms. Pinky Anand, ASG
Mr. S. Wasim A. Qadri, Adv.
Mr. Zaid Ali, Adv.
Mr. Hemant Arya, Adv.
Ms. Saudamini Sharma, Adv.
Mr. B.V. Balram Das, AOR

Mr. Chirag M. Shroff, AOR

Mr. B. Krishna Prasad, AOR

UPON hearing the counsel the Court made the following
O R D E R

We have gone through the affidavit filed on behalf of the Directorate General of Health Services.

It appears from the affidavit that various vector borne diseases are widespread in different parts of the country apparently due to an absence of solid waste management. Therefore, it appears that the crucial issue is really the management of solid waste.

Accordingly, we propose to limit this petition only to the issue of management of solid waste.

Learned *amicus curiae* has brought to our notice the Solid Waste Management Rules, 2016 which are enforceable with effect from 8th April, 2016.

Rule 5 of the aforesaid Rules places the responsibility of overall monitoring and implementation of these Rules in the country on the Ministry of Environment, Forest and Climate Change, Government of India.

Rule 5 also provides for the constitution of a Central Monitoring Committee under the Chairmanship of the Secretary of the said Ministry comprising officers not below the rank of the Joint Secretary or Advisor from several Ministries and bodies. The Central Monitoring Committee is expected to meet at least once in a year to monitor and review the implementation of these Rules and to co-opt other experts. Since the Rules came into force with effect from 8th April, 2016, presumably, at least one meeting of the Central Monitoring Committee has been held.

Rules 6,7,8,9 and 10 indicate the duties of several Ministries of the Government of India and Rule 14 relates to the duties of the Central Pollution Control Board.

Since the issue of solid waste management is of considerable importance, particularly in view of the affidavits that are on record and the minutes of the

meetings on record, we would require the Union of India through the Ministry of Environment, Forest and Climate Change to file an affidavit within four weeks with regard to the implementation of the Solid Waste Management Rules, 2016.

We expect the said Ministry to file a composite affidavit on behalf of the Union of India.

Notice may also be issued to the Central Pollution Control Board to indicate what steps have been taken by it for solid waste management in terms of the Rules and even otherwise.

List the matter on 12th December, 2017.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
COURT MASTER