

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

Original Application No. 606/2018

IN THE MATTER OF:

Compliance of Municipal Solid Waste Management Rules, 2016

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

**Present: Mr. Rajkumar, Adv. for CPCB
Mr. Ardhendumauli Kr. Prasad, Ms. Diksha Gera, Mr. Nitesh
Raujari and Mr. Shashank Saxena, Advs.**

	Date and Remarks	Orders of the Tribunal
	Item No. 06 October 30, 2018 A	<p>1. A letter has been received from the Southern Regional Monitoring Committee constituted in terms of order of this Tribunal dated 20.08.2018 in Original Application No. 606 of 2018 "In the matter of compliance of MSW Management Rules, 2016" suggesting that instead of Principal Secretary, Urban Development, Principal Secretary, Municipal Administration and Water Supply, Tamil Nadu may be the Member Secretary of the said Committee.</p> <p>2. Accordingly, we direct that the Principal Secretary, Municipal Administration and Water Supply Department, Government of Tamil Nadu will be the Member – Secretary of the Monitoring Committee for the Southern Region instead of Principal Secretary, Urban Development, Tamil Nadu as earlier directed vide para 20 of the above order.</p> <p>3. We take this opportunity to suggest that the Regional Monitoring Committees (RMCs) may consider identifying one or more cities or towns to be the model for a State in the matter of compliance with the Municipal Solid Waste Management Rules, 2016, considering the available models or otherwise. For this purpose, RMCs</p>

	<p>Item No. 06</p> <p>October 30, 2018 A</p>	<p>may identify a team of three persons as accountable. Such teams may visit the place or places which may be considered to be successful model(s). After such identification, the plan may be prepared and executed earliest preferably within three months. Thereafter it may be easier to replicate such models in the entire State/ Union Territory, in a time-bound manner.</p> <p>4. We are also informed that no meeting has been held by the Central Regional Monitoring Committee, Bhopal.</p> <p>5. It is the responsibility of the Urban Development Department of the State of Madhya Pradesh, in terms of paragraph 18 of the order dated 20.08.2018, to provide remuneration and logistic support to the said Committee and proportionate share could be recovered from other States in the region i.e. Chattisgarh and Rajasthan. This does not appear to have been done though more than two months have passed.</p> <p>6. Accordingly, we direct Secretary, Urban Development of Madhya Pradesh to forthwith ensure compliance of the above direction before 15.11.2018 to effectuate the functioning and operation of the Committee failing which we may have to take coercive measures.</p> <p>7. Let an Affidavit in this regard be filed by the Chief Secretary, State of Madhya Pradesh within two weeks from today.</p> <p>8. A copy of this order be forthwith sent to the Chief Secretary of State of Madhya Pradesh through the Resident Commissioner of the State of Madhya Pradesh at New Delhi as well as by e-mail.</p> <p>9. We would like to re-emphasize that each village, town and a city of State should have Action Plan for</p>
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	<p>Item No. 06</p> <p>October 30, 2018 A</p>	<p>management of Municipal Solid Waste, Bio-medical waste, Plastics waste and Construction and Demolition waste as per the respective rules in a time- bound manner.</p> <p>10. Wherever sites are required for waste processing and disposal, the States and the local bodies concerned should provide such site (s) by following due procedure as per relevant rules. In case delay is observed in doing so, the Tribunal may take coercive action including imposing costs and compensation.</p> <p>11. We may also observe that the RMCs should also look into the issue arising out of situations like absenteeism of conservancy staff in large numbers due to any cause. The local bodies should make necessary arrangement to keep city/town clean. In case of back-log of waste remaining in the city during such events, the local bodies should be penalized heavily.</p> <p>12. Copies of this order may be sent by e-mail to the Apex and all the Regional Committees for further action.</p> <p>List again on 20.11.2018.</p> <p>....., CP (Adarsh Kumar Goel)</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr. Nagin Nanda)</p> <p>30.10.2018</p>
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