

Item No.1

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)
Original Application No.523/2022

Sayed Mehmood Ali Chisti

...Applicant

Versus

State of M.P & Ors.

...Respondents

Date of hearing: 14.12.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None.

Respondent: Mr. Kanishk Arora and Ms. Shakshi Goyal, Advocates for
MPPCB.

Application is registered based on a letter Petition received by Post.

ORDER

1. Mr. Sayed Mehmood Ali Chisti, a Senior Journalist, has sent the present letter petition, which is treated and registered as original application, complaining that hundreds of tonnes of garbage generated from Harda town, is being thrown out on the empty space between Muktidham and Kabristan located at Khandwa – Indore Bypass road. Dead bodies of animals including cows are also dumped, instead of cremating the same, at the above said dumping site. Old Basti named Khedi Mehmoodabad is also located near by the garbage dumping site. Every day garbage is being burnt causing serious health hazards to the local residents. Municipal Council, Harda is not taking requisite action.

2. Vide order dated 02.09.2022, this Tribunal constituted a Joint Committee comprising of representative of the State PCB, Executive Officer, Municipal Council, Harda, and Collector, Harda and directed the same to submit its report within one month.

3. In compliance thereof report of the Joint Committee has been submitted vide email dated 07.11.2022.

4. In view of the averments in the application and observations in the report of the Joint Committee, we consider it appropriate to have response of (1) State of Madhya Pradesh through Chief Secretary, Government of Madhya Pradesh, (2) Principal Secretary, Urban Development and Housing Department, Government of Madhya Pradesh, (3) Executive Officer, Municipal Council, Harda, (4) MPPCB and (5) Collector, Harda, who stand impleaded as respondents No. 1 to 5. The Registry is directed to prepare and attach memo of parties to the application. Respondent no. 4 has already appeared before this Tribunal through counsel. Notices be issued to respondents No. 1, 2, 3 and 5.

5. Reply/response on behalf of respondents no. 1 to 5 be filed within two months at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

6. List for further consideration on 21.03.2023.

7. In view of the facts and circumstance of the case, we also consider personal appearance of the Executive Officer, Municipal Council, Harda, Regional Officer, MPPCB and Collector, Harda before this Tribunal physically or through VC on the next date of hearing to be essential for producing the relevant record and assisting this Tribunal in just and proper adjudication of the questions involved in the case and they are accordingly

directed to remain present before this Tribunal physically or through VC on that date.

8. A copy of order be sent to the Executive Officer, Municipal Council, Harda, Regional Officer, MPPCB and Collector, Harda by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

December 14, 2022
AG