



## HIGH COURT OF CHHATTISGARH AT BILASPUR

### WPPIL No. 108 of 2024

In The Matter Of Suo Moto Public Interest Litigation Based On News Item Published In Daily News Paper Haribhumi, Bilaspurbhumi Chhattisgarh, Dated 25-12-2024 The News Items As Follows- “Nigam Ne Uthaw Band Kiya, Ek Saal Pahle Nagar Nigam Ne Kachra Uthane Ka Kiya Tha Anubandh”, “300 Udhyogo Ka Kachra Sirgitti Me Dump, Aabohawa Ho Rahi Jahrii”.

... **Petitioner(s)**

**versus**

- 1 - State of Chhattisgarh Through Chief Secretary, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, (C.G.)
- 2 - State Of Chhattisgarh Through Secretary, Urban Administration And Development Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, (C.G.)
- 3 - State Of Chhattisgarh Through Secretary, Revenue And Disaster Management Department, Mahanadi Bhawan, Atal Nagar, Nava Raipur (C.G.)
- 4 - State Of Chhattisgarh, Through Secretary, Nagar Vikas Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, (C.G.)

- 5 - State Of Chhattisgarh, Through Secretary, Commerce And Industry Mantralaya, Mahanadi Bhawan, Atal Nagar, Nava Raipur, (C.G.)
- 6 - Chairman C.G. Environment Conservation Board, Raipur, (C.G.)
- 7 - Managing Director C.S.I.D.C., Udyog Bhawan, Raipur (C.G.)
- 8 - The Collector Bilaspur, District Bilaspur, (C.G.)
- 9 - The Commissioner Municipal Corporation, Bilaspur (C.G.)
- 10 - Chief Municipal Officer Municipal Corporation, Bilaspur (C.G.)
- 11 - General Manager Ramky Grandiose, Ramky Tower Complex, Gachibowli, Hyderabad-500032

... Respondent(s)

**Order Sheet**

<p><b>26/12/2024</b></p>	<p>This is an office reference.</p> <p>Heard Mr. Raj Kumar Gupta, learned Additional Advocate General for the State/respondents No. 1 to 5 and 8, Mr. Trivikram Nayak, learned counsel for the respondents No. 6 and 7 and Mr. Ashish Tiwari, learned counsel for the respondent No. 9 and 10.</p> <p>This suo moto public interest litigation petition has been registered on the basis of news item published in Hindi Daily Newspaper, namely, Haribhoomi on 25.12.2024 with a heading “300 उद्योगों का कचरा सिरगिटी में डंप, आबोहवा हो रही जहरीली”.</p> <p>Looking to the seriousness of the matter and further since</p>

the issue involved herein concerns the health of public at large and protection of environment, the matter is taken up for hearing during winter holidays.

The said news item states that in the industrial area of Tifra and Sirgitti of the Bilaspur District, the Chhattisgarh State Industrial Development Corporation Ltd. (*for short, the CSIDC*) and the Municipal Corporation, Bilaspur, are responsible for disposal of the industrial waste/garbage, have failed in performing their duties and the waste which is being dumped is lying indisposed which is causing grave environmental pollution.

A picture has also been published alongwith the aforesaid news which shows that the waste dumped in the industrial area is being eaten by the cattles. These wastes are generated from the 300 industrial units of Tifra and Sirgitti. A year ago, there was an agreement between the Municipal Corporation and a private contractor but the said contractor, on personal grounds has refused to lift those wastes and garbage. Despite the Bilaspur City being declared as 'Smart City' there is unavailability of crusher machine for disposal of the industrial wastes and neither there is any concrete planning of the part of the Municipal Corporation, Bilaspur or the CSIDC.

The version of the Commissioner, Municipal Corporation has also been published who has stated that the contract

between the Municipal Corporation and the private contractor has expired three months ago and the CSIDC is required to enter into fresh agreement.

Mr. Rajkumar Gupta, learned Additional Advocate General appearing for the State/respondents No. 1 to 5 and 8 submits that as soon as the aforesaid fact has come to the knowledge of the authorities concerned, prompt action has been taken and as Kesda Waste Management Plant has already been installed (which is evident from the copy of the photographs) and an application has been moved by the authorities before the Chhattisgarh Environment Conservation Board (*for short, the CECB*), on 19.12.2024 for making the plant operational and the authorities are hopeful of getting the permission very soon.

Mr. Gupta further submits that the huge dump of garbage and industrial wastes have been removed and for the time being, alternative arrangements have been made.

On a query as to why the CECB has not taken any action on its own till date and action is being taken by the CECB only after the intervention of the Court, Mr. Nayak assures that necessary action would be taken by the CECB at the earliest so that the menace of dumping of industrial wastes and its disposal can be tackled effectively.

It is very sorry state of affairs that the State and its

agencies, despite having all the powers, resources, and capabilities, as well as the CECB, whose sole responsibility is to secure and protect the environment, are not taking timely and effective steps.

In view of the above facts and circumstances, we deem it appropriate to direct the respondent No. 2-Secretary Urban Administration & Development, Government of Chhattisgarh, to file his personal affidavit explaining as to why action has been taken by the authorities concerned only after publication of the news item as aforesaid and registration of the present PIL. He shall also explain as to why despite installation of the Waste Management Plant, no consent was taken from the competent authorities to make it functional and why prompt steps were not taken when the agreement for disposal of industrial wastes had expired three months ago. He shall further explain as to what alternate arrangements have been made for disposal of the industrial wastes/garbage till the Kesda Waste Management Plant is made operational.

List this case on **8<sup>th</sup> of January, 2025**.

Sd/-  
(Ravindra Kumar Agrawal)  
**JUDGE**

Sd/-  
(Ramesh Sinha)  
**CHIEF JUSTICE**

Amit