



Poonam Gehlot Vs. State of H.P. and Ors.

CWP No. 153 of 2018

12.08.2024Present:

Petitioner in person.

Ms. Priyanka Chauhan, Deputy Advocate General, for the respondents.

Mr. Adarsh K. Vashisth, Advocate, for respondent no.5.

Mr. Sunil Mohan Goel, Advocate, for respondent no.6.

Mr. Tara Singh Chauhan, Advocate, for respondent no.8.

Perused the compliance report filed by Secretary, Rural Development and the Secretary, Urban Development, Government of Himachal Pradesh.

The said reports, no doubt, advise scientific disposal of the solid waste, but it is quite possible that most towns/villages/Panchayats may not have the technical and financial capacity for scientific disposal and such bodies are also be instructed how to deal with the waste.

In view of this, we suggest that the provisions of Section 133 of Cr.P.C.(old)/corresponding the provisions in the *Bhartiya Nayaya Savidhan* can be invoked in appropriate cases.

The Municipal Solid Waste Management Rules, 2016, which deals with these aspects can possibly be adopted/extended to rural areas also other than municipal areas for



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effectively dealing with the situation.

The respondents who have filed the compliance report shall also examine and issue appropriate instructions on steps for scientific disposal and others mentioned above.

List on **05.11.2024** for filing fresh status report.

(M.S. Ramachandra Rao)
Chief Justice

(Satyen Vaidya)
Judge

12th August, 2024
(sushma)