

ITEM NO.1

COURT NO.3

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

W R I T P E T I T I O N ( S ) ( C I V I L ) N O ( S ) . 6 5 7 / 1 9 9 5

RESEARCH FOUNDN. FOR SCIENCE

PETITIONER(S)

VERSUS

U O I . &amp; O R S .

RESPONDENT(S)

(ONLY I.AS NOS. 59 AND 63 TO BE LISTED WITH SLP(C)NO.9874/2012 AND  
IA NO.122981/2017-I/A FOR PERMISSION TO FILE COMPILATION OF  
DOCUMENTS/AFFIDAVITS)

WITH

SLP(C) NO. 9874/2012 (IV-A)

Date : 22-11-2017 These cases were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI  
HON'BLE MRS. JUSTICE R. BANUMATHI

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                                  Mr. T.A. Khan, Adv.  
                                  Mr. B.K. Prasad, AOR

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

I.A. NO.63

List the application after six weeks.

Shri P.S. Narasimha, learned Additional  
 Solicitor General appearing for the Union of India has  
 assured the Court that during the aforesaid period of

six weeks, the applicant - The Research Foundation for Science, Technology and Natural Resource Policy will be associated with the discussions that will be held to monitor the situation on the ground insofar as the issues arising are concerned. The said issues as summarized by Shri P.S. Narasimha, learned ASG are:

- (i) Removal of Dump sites;
- (ii) Construction of TSDF's;
- (iii) Workers health;
- (iv) National Inventory/Identification;
- (v) Institutional Reforms;
- (vi) National Policy; and
- (vii) Monitoring.

In addition, in the deliberations to be held, the recommendations made by Shri Gopal Subramaniam, learned Senior Counsel shall also be considered.

In the course of the deliberations that will take place pursuant to the present order the applicant - The Research Foundation for Science, Technology and Natural Resource Policy apart from identifying the area that need resolution will also be free to offer its suggestions in the matter. Once the deliberations are completed within the time frame fixed by the Court i.e.

within six weeks, a report thereof be submitted to the Court indicating the position on the ground as on date with regard to the implementation of the various measures, policies, etc. as well as the action taken under the provisions of the Hazardous and other Wastes (Management and Transboundary Movement) Rules, 2016.

I.A. NO.59

We have perused the affidavit filed by Shri A.R. Pawar, Project Manager, JNNURM (Water Distribution) Project, Nagar Nigam, District Bhopal, Madhya Pradesh dated 29<sup>th</sup> March, 2017 and noted the contents thereof. We have also taken on record the statement made on behalf of the applicant - Bhopal Group for Information & Action that in addition to the 22 communities which are stated to be receiving treated water there are further 20 plus communities identified by the applicant to whom also treated water is required to be supplied. The Monitoring Committee constituted by this Court by its order dated 3<sup>rd</sup> May, 2012 which includes the applicant - Bhopal Group for Information & Action as one of its Members is requested to effectively monitor the present state of the water supply to the aforesaid 22 communities. The respondents - Authorities will also take out samples of the ground water in the

presence of the Monitoring Committee or its authorized representative(s) from the 20 plus additional communities identified by the applicant - Bhopal Group for Information & Action, details of which will be furnished by the applicant. The concerned authority i.e. Project Manager, JNNURM (Water Distribution) Project, Nagar Nigam, District Bhopal, Madhya Pradesh will carry out laboratory tests of the samples taken from a government approved laboratory approved by the Monitoring Committee and submit its report to the Monitoring Committee. The Monitoring Committee will offer its suggestions to the Court before the next date fixed.

Having taken note of the contents of paragraph 7 of the affidavit filed by Shri A.R. Pawar, Project Manager, JNNURM (Water Distribution) Project, Nagar Nigam, District Bhopal, Madhya Pradesh dated 29<sup>th</sup> March, 2017, we direct the Project Manager, JNNURM (Water Distribution) Project, Nagar Nigam, District Bhopal, Madhya Pradesh to inform the Court the progress of the execution of the Plans/Schemes mentioned in the said paragraph for which financial sanction has been received, as indicated.

List the matters for further consideration on  
10<sup>th</sup> January, 2018.

[VINOD LAKHINA]

AR-cum-PS

[ASHA SONI]

BRANCH OFFICER