

SUPREME COURT OF INDIA

Research Foundn. for Science

Vs.

U. O. I.

Writ Petn.(Civil) No. 657 of 1995

(Y. K. Sabharwal and D. M. Dharmadhikari JJ.)

24.09.2004

ORDER

1. Copy of the application be given during the course of the day to Mr. D. N. Goburdhan. Such of the parties who wish to respond may respond to the application. DSIDC shall positively file reply within two weeks.

2. List the I. A. on 8-10-2004.

3. Mr. Sanjay Parekh, Advocate, has brought to our notice the aspect highlighted in the April and May, 2004, reports of the Monitoring Committee. Learned counsel has also handed over a note inter alia containing details of the directions required to be issued for implementation of the directions as contained in the order dated 14-10-2003. An Action plan containing the activity, the time frame and comments on action plan based on the Monitoring Committee Report (2nd and 3rd) also is submitted in the Court. Copies of these documents have been given to learned Additional Solicitor General Mr. P. P. Malhotra. Out attention has also been drawn to the difficulties said to be faced as a result of Hazardous Wastes (Management and Handling) Amendment Rules, 2003. Reference has been made to the report of April, 2004 (February, 2004 to April, 2004) which, inter alia, notices that the presence of plastic is providing a formidable obstacle to the implementation of MSW Rules, 2000. The committee states that the plastic scrap has become a major problem affecting environment, animals and wildlife. Direction is sought against the Ministry of Environment and Forest to raise the ban on plastic carry bags from 22 to 40 MW as has already been done in the States of Goa and West Bengal which it is stated will reduce the entry of plastic scrap in the environment and would also lead to better utilisation of plastic.

4. We are of the view that it would be appropriate if Mr. Parekh sits with learned Additional Solicitor General along with the officers of Ministry of Environment and Forest so that at first instance, an attempt be made to sort out some aspects and timely action can be taken. Let that be done within a period of two weeks and the matters be called thereafter.

5. The question relating to the disposal or other directions which may be required to be issued in regard to waste oil be listed for hearing on a non-miscellaneous day in the month of October/November, 2004.

6. Mr. Parekh further points out that the DPCC has not complied with the directions of the Court in respect of the units which are running without authorisation. Mr. Goburdhan states he will look into the matter. This aspect would also be considered on the next date.

Order accordingly.