

HIGH COURT OF MEGHALAYA
AT SHILLONG

PIL No. 6 of 2022 with
MC(PIL) No. 2 of 2022

Date of order: 19.10.2023

Synjuk Ki Waheh Shnong Jowai	vs	State of Meghalaya & ors
Jowai Municipal Board, Jowai & anr	vs	State of Meghalaya & ors

Coram:

Hon'ble Mr. Justice Sanjib Banerjee, Chief Justice
Hon'ble Mr. Justice W. Diengdoh, Judge

Appearance:

For the Petitioner : Mr W. Jyrwa, Adv.

For the Respondents : K. Khan, AAG with
Mr S. Sengupta, Addl Sr GA
Mr P. Nongbri, Adv. [For R 3 & 4]
Mr Philemon Nongbri, Adv. [For R 5 & 6]

i)	Whether approved for reporting in Law journals etc.:	Yes/No
ii)	Whether approved for publication in press:	Yes/No

JUDGMENT: (per the Hon'ble, the Chief Justice) (Oral)

On the last occasion that the matter was taken up on September 5, 2023, the petitioner was not represented and the Court perceived that the petitioner's absence was a good sign that the problem complained of may have been taken care of.

2. The petitioner is represented today and submits that despite the previous orders of this Court, there has been irregular collection of waste, particularly from residents in Jowai. The Jowai Municipal Board, however, says that the schedule indicated earlier is being adhered to.

3. The last order recorded that the 10-TPD solid waste-management system, according to the State, had been completed to the extent of 70 per cent by then. Earlier reports filed by the State indicated that the waste disposal unit would be ready by the end of this calendar year.

4. Learned Additional Advocate-General says that there is no delay in such regard and it is hoped that the waste disposal unit would be functional by the end of this year or, at the latest, within a week thereafter.

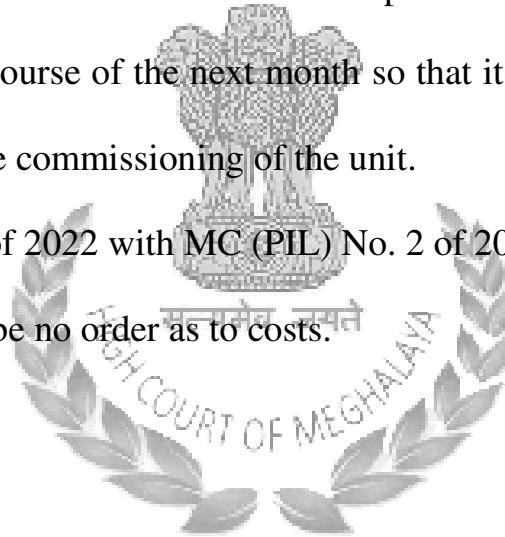
5. Since the monsoon has now officially retreated from the State and there is less likelihood of the collected waste at any place flowing down, the health hazards that had been apprehended earlier may no longer be a risk. However, the Jowai Municipal Board, which has been somewhat lacking in its performance, should ensure that the schedule submitted in Court is strictly adhered to and waste is collected both from residential and commercial units till such time that a new system is put in place upon the waste disposal unit being commissioned.

6. The petition, filed in public interest, appears to have worked itself out. However, if there is any deficiency on the part of the Jowai Municipal Board, the petitioner or any other person affected may approach the Court.

7. The State should also ensure that the Jowai Municipal Board adheres to the schedule and that there is no piling up of garbage or waste at any place in Jowai, till such time that the waste disposal unit is commissioned. Once the relevant unit becomes functional, the State, in conjunction with the Jowai Municipal Board, will work out modalities for waste from different parts of the Jowai town to be reached to the unit and places where local residents and commercial entities may dump their waste for such waste to be ferried to the disposal unit. Such plan should be chalked out in course of the next month so that it can be implemented from day one of the commissioning of the unit.

8. PIL No. 6 of 2022 with MC (PIL) No. 2 of 2022 are disposed of.

9. There will be no order as to costs.



(W. Diengdoh)
Judge

(Sanjib Banerjee)
Chief Justice

Meghalaya
19.10.2023
"Sylvana PS"