

In the High Court of Judicature of Andhra Pradesh at Hyderabad

Akhil

v.

Secretary, A.P. Pollution Control Board and ors

Writ Petition No. 15490 of 2001

3.10.2001 dd.

Sri. Satyabrata Sinha C.J. & V.V.S. Rao J.

Judgement:

1. This writ petition has been taken up suo motu by this Court pursuant to a telegram issued by the petitioner wherein it is stated:
2. Kindly consider grievances of pollution created daily burning plastic scraps at Nampally station. Health spoiling. Requires specific orders at your valued end.
3. A counter-affidavit has been affirmed by one Lade Babu Rao, said to be Coaching Depot Officer, Railways, Hyderabad and Incharge of the scrap wherein it is stated that a contract has been given in November, 1999 to lift garbage and payments are also said to have been made to the authorities of the Municipal Corporation of Hyderabad who have placed two dust bins for dumping of the garbage and the same are being lifted and removed by the Corporation authorities daily. No counter-affidavit has been filed by the Pollution Control Board.
4. It has not been denied or disputed that if garbage is burnt in or near a residential colony and particularly near the Railway station, the same would cause pollution. Health hazard may also be caused by reason of burning of such garbage. The residents of the localities which are situated nearby undoubtedly would greatly suffer. We, therefore, dispose of this writ petition by directing the respondent-authorities to see to it that no garbage is burnt in any thickly populated residential area without clearance from the A.P. Pollution Control Board. The Secretary of the A.P. Pollution Control Board is also hereby directed to depute a qualified person for making surprise inspection as to how and

in what manner such garbage collected from the Railways is being disposed of. The Commissioner of the Municipal Corporation of Hyderabad and all other authorities, although they are not parties in this petition, are also requested to see that no pollution is caused by reason of burning of garbage and in this regard they must render their full cooperation to the authorities of the A.P. Pollution Control Board.

5. With the aforementioned directions the writ petition is disposed of. There shall be no order as to costs.