

Their Lordships Justices Madan B Lokur and Deepak Gupta
:alumni Apex Court Judges assert Constitutional Right on Public Health



The Supreme Court on Thursday 12.07.2018 castigated the Delhi Lieutenant Governor for doing nothing to get the “mountains of garbage” of the city cleared, with one of the dumping sites even reaching a height close to that of the Qutub Minar.

Terming the situation in Delhi as “absolutely bizarre”, the top court referred to the “mountains of garbage” at three landfill sites in Ghazipur, Okhla and Bhalswa, and said there was a 65-metre mound at Ghazipur which was “only eight meters less than the historic Qutub Minar”.

A bench of **Justices Madan B Lokur**(BA His Hons 1974 St Stephen’s LL.B 1977) and **Deepak Gupta**(LL.B 1978) also questioned the “attitude” of the LG and said no official from his office had bothered to attend a meeting chaired by the Delhi’s health minister on the issue of solid waste management.

Referring to the affidavits filed by the office of the LG and the Delhi Government, the Bench said both of them have said that question of solid waste management in Delhi was the responsibility of the municipal corporations and the LG has the authority to issue directions in this regard under the Delhi Municipal Corporation Act. “Is the office of the LG responsible? According to your affidavit, the answer is yes. The Court said the height of the dumping sites have exceeded to such an extent and this was the “indication of inaction or action” of the LG’s office which has failed to remove solid waste from these sites. The Bench also observed that despite the LG convening 25 meetings on the issue and making certain field visits, “nothing has happened” and it could be anybody’s guess about what happened in these deliberations. “Despite these meetings, there are mountains of dumps in Delhi,” it said, adding that the *national capital required serious attention on the issue of solid waste management*. “What about Ghazipur, Okhla and Bhalswa. Last time, we were told that it (Ghazipur landfill) had a 62-metre mountain of garbage. Now your affidavit says it is 65 metres which is only eight meters less than the Qutub Minar,” the Bench observed.

The Bench also dubbed as “utopian” the State policy on solid waste management .