

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

WP No. 2802 of 2004

(ALOK PRATAP SINGH (DECEASED) IN REM vs THE UNION OF INDIA AND OTHERS)

WP/1993/2004, WP/34550/2024, WP/41965/2024

Dated : 18-02-2025

Shri Naman Nagrath, Senior Advocate with Shri K.N. Fakhruddin,
Advocate for petitioners.

Shri Pushpendra Yadav - Senior Advocate with Shri Sandeep Kumar
Shukla, Advocate for respondent No.1/Union of India.

Shri Prashant Singh - Advocate General with Shri H.S. Ruprah,
Additional Advocate General and Dr. S.S. Chouhan, Government Advocate
for the respondents/State.

Shri Ravindra Shrivastava, Shri Siddharth Luthra and Shri Kishore
Shrivastava - Senior Advocates with Ms. Shiraz Patodia, Ms. Divya Shrama,
Ms. Juhi Chawla, Shri Kunal Thakre, Shri Y.M. Tiwari and Shri Ayush
Agrawal - Advocates for respondent No.4.

Shri Vikram Johri - Advocate for respondent- M.P. Pollution Board.

Shri Rajeev Mishra - Advocates for respondent No.6.

Shri Abhinav Dhandodkar - Advocate for the petitioner in Writ
Petition No.41965/2024.

Shri Rajeev Mishra, Shri S.K. Verma and Ms. Shakshi Pawar,
Advocates for respondent No. 7.

Shri N. D. Jayprakash appears in person for Intervenor/Bhopal Gas
Peedith Sangharsh Sahyog Samiti.

Ms. Rachna Dhingra - petitioner appears in person.

Shri Avi Singh, Senior Advocate with Shri Shreyas Dharmadhikari

and Shri Kirti Raj - Advocates for BGIA.

Shri Sunil Kumar Jain - Senior Advocate with Shri Rishi Paliwal, Advocate for intervenor.

Shri Hitendra Tripathi and Shri Pratyush Mishra Advocates for intervenor.

Shri Rahul Diwaker - Advocate for the intervener.

Shri Manish Gupta - Advocate for intervener.

Status report by the State Government has been furnished across the Board. The same is taken on record. It is stated therein that the Chief Secretary, Government of Madhya Pradesh held a meeting on 11.01.2025 and issued directives to take appropriate steps to make aware the public about the previous trial runs carried out in 2013 & 2015 and their reports should be made available in the simple language for the public by local administration. The action plan for six weeks timeline has been prepared by the Department of Bhopal Gas Relief Tragedy and Rehabilitation and the same has been provided to the concerned stakeholders to make aware of the actual facts to the public by the environmental experts, medical experts and the experts of other fields working in the Universities and educational institutions to make proper public communication with the scientific documents regarding the disposal of the UCIL waste.

It is further stated that owing to the painstaking efforts of the various functionaries of the State, the entire waste has been unloaded from the trucks avoiding any public outcry or unrest. It is further stated that as many as 11 representatives of people have given representations to the Collector, Dhar

requesting to conduct trial runs of 10 metric ton and after sharing the results of the same with the public, remaining waste should be disposed of slowly following all protocol and procedure/guidelines etc.

It is further stated that further steps for trial run to determine feed rates are to be undertaken. For the trial run, 30 metric ton of waste will be disposed in three lots of 10 metric ton each. The trial run for disposal of first 10 metric ton will take approximately 3-4 days.

Accordingly, keeping in view the averments made in the present status report/affidavit, we hereby direct the respondents to undertake first trial run of 10 metric ton by taking all protocols into consideration on 27.02.2025 and thereafter see the result of the same. If there is no adverse effect, the second trial run will take place on 04.03.2025 followed by the third trial run on 10.03.2025 and thereafter based on results of same, after the due tests they will continue to dispose of the remaining waste and file the status report.

Let the matter be posted on 27.03.2025 with the reports of the trial runs.

(SURESH KUMAR KAIT)
CHIEF JUSTICE

(VIVEK JAIN)
JUDGE