

More than 10.7k tonnes of waste on tracks, govt sets June 30 date

<https://timesofindia.indiatimes.com/city/delhi/more-than-10-7k-tonnes-of-waste-on-tracks-govt-sets-june-30-date/articleshow/109512728.cms>

New Delhi: Around 17,293 tonnes of municipal solid waste (MSW) have been removed from along the railway tracks in the city and the remaining 10,787 tonnes, much of it waste from vegetable and fruit markets, will be cleared by June 30, Delhi govt's environment department informed the National Human Rights Commission (NHRC) on Monday.

The environment department also said that no space was available to set up a waste management facility at Azadpur wholesale market, but the possibility of one is being explored near all the major vegetable and fruit markets in Delhi to ensure that the businesses do not dump waste along the railway tracks.

In Sept last year, NHRC, hearing a matter on air pollution, had directed Delhi govt, Municipal Corporation of Delhi and Indian Railways to get a clear picture about whether the organic garbage, plastics and other waste had been lifted from the Azadpur-Narela railway tracks.

The data compiled by the environment department shows that a total of 28,080 tonnes of MSW lay along the 105-km rail stretch and of these, 17,293 tonnes had been removed with the rest to be cleared by June 30. Of the 10,787 tonnes awaiting removal, most was in MCD's Karol Bagh zone at 10,497 tonne, followed by City Sadar Paharganj at 200 tonnes, Keshav Puram at 81 tonnes and Narela zone at nine tonnes. Waste had already been removed from the central, Shahdara north, Shahdara south, Najafgarh, Civil Lines and Rohini zones.

NHRC had asked Delhi govt to inform it of the problems faced in lifting the garbage. Delhi govt informed the commission that unavailability of access points, MSW scattered over stretches, jhuggi dwellers continuing to dispose of garbage along the track and at some other locations, and the infeasibility of mechanical removal of so much MSW were among the major problems.

Since NHRC had asked the state govt to submit an action plan to prevent waste from vegetables or fruits markets being dumped on railway tracks, the environment department pleaded that land was an issue at the Azadpur market. "The Azadpur market yard has a 15-ft-high boundary wall along the railway tracks near Adarsh Nagar station and garbage cannot be thrown there. However, an RCC wall has been constructed at the entry and exit point between Agriculture Produce and Livestock Market Committee (APMC) land and DDA's transport centre plot as decided during the joint inspection conducted on Jan 19," the department's report said.

As for setting up waste processors near major vegetable and fruit markets, the possibility of MSW plants, which require super specialised planning, was being explored. A tender may be floated after the model code of conduct for Lok Sabha polls is lifted.

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HC questions legality of natural guardianship of father

<https://today.thefinancialexpress.com.bd/metro-news/hc-questions-legality-of-natural-guardianship-of-father-1713808576>

The High Court (HC) has questioned the legality of clause 'b' of Section 19 of the Guardians and Wards Act, 1890, that describes only father as the natural guardian of a minor.

The HC issued a rule upon the concerned bodies of the government to explain as to why the clause 'b' of Section 19 of the Guardians and Wards Act, 1890, should not be declared unconstitutional.

Law Secretary, Women and Children Affairs Secretary, Law Commission and National Human Rights Commission (NHRC) have been asked to comply with the rule.

The HC bench of Justice Naima Haider and Justice Kazi Zinat Haque passed the order after hearing a writ petition filed by five rights organisations. Think Legal Bangladesh, Bangladesh Legal Aid and Services Limited (BLAST), Bangladesh Mahila Parishad, Naripokkho and Academy of Law and Policy (ALAP) filed the petition.

According to the Section 19(b) of the act, "Nothing in this Chapter shall authorise the Court to appoint or declare a guardian of the property of a minor whose property is under the superintendence of a Court of Ward or to appoint or declare a guardian of the person subject to the provisions of this act with respect to European British subjects, of a minor whose father is living and is not, in the opinion of the Court, unfit to be guardian of the person of the minor.

The HC also directed the Ministry of Women and Children Affairs and National Human Rights Commission to constitute a committee including the respondents and independent experts to formulate detailed criteria and guidelines to help decision makers assess guardianship issues and submit the said guidelines to the Court within August 4, 2024.

Barrister Sara Hossain, Senior Advocate, appeared for the petitioners with Barrister Anita Ghazi Rahman, Barrister Rashna Imam, Advocate Masuda Rehana Begum and Advocate Ayesha Akhter. Deputy Attorney General Amit Das Gupta was present on behalf of the Government.

Sara Hossain told the FE that this order is an important step in moving us towards ensuring equality for women in relation to rights within the family and to guardianship of children, and away from the discriminatory attitudes and concepts that were embedded in colonial laws and continue to prevail in society.

The petitioners filed this writ in the public interest impugning Section 19(b) of the act as being violation of the fundamental rights of women to equality and non-discrimination, and praying for a declaration that women and men be treated on an equal footing for the purpose of being appointed or declared as the guardian of a minor under the Guardians and Wards Act, 1890 in accordance with the fundamental rights guaranteed under Article 26,27 and 28 of the Constitution.