

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL, PRINCIPAL BENCH, DELHI**

O.A. No. 145/2024

IN THE MATTER OF:

Friends

..... .. Applicant

VERSUS

Union of India and others

.....Respondents

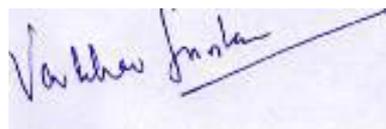
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1.	Inspection-cum-Action Taken Report in compliance to Hon'ble NGT's order dated 13.10.2025, passed in OA No. 145/2024 along- with its annexure.	1-18

Dated: 08.01.2026

Place: Kullu

Through Counsel



Vaibhav Srivastava (Advocate)

INSPECTION-CUM-ACTION TAKEN/ STATUS REPORT IN COMPLIANCE TO HEAD OFFICE LETTER NO. PCB- OA NO. 145/2025-12047-048 DATED 01.11.2025.

1. Background:

The present petition filed in Hon'ble National Green Tribunal by the Friends (applicant organization) alleging the environmental issues arising out of the non-compliance and non-implementation of the provisions of the Solid Waste Management Rules, 2016, under the Environment (Protection) Act, 1986 wherein it is alleged that the garbage is dumped in Koksar, District Lahaul & Spiti along Leh-Manali Highway by the Tourists, vendors/commercial establishment and that the local body i.e. the Gram Panchayat, Kosar has completely failed to manage, dispose and scientifically process the massive quantities of solid waste so generated from high tourists volume.

In this matter, Hon'ble National Green Tribunal vide order dated 07.02.2024 had passed following directions:

".....4. Issue notice to the respondents. Applicant is directed to serve the respondents and file affidavit of service at least one week before the next date of hearing....."

Thereafter, vide order dated 12.07.2024 the Hon'ble NGT had passed following directions:

".....We also give four weeks time to CPCB and HSPCB to file a report indicating the action taken by them to remediate the problem. The status report will reflect upon the issues raised by the applicant and noted above in the order....."



The applicant had alleged that the environmental laws are not being properly implemented by the concerned authorities and has pointed out various instances of unscientific dumping/ littering of solid waste in different places of Koksa, Atal Tunnel etc. and had also raised concern over non-functioning of Material Recovery Facility at Koksar.

The Hon'ble NGT vide latest order dated 13.10.2025 has passed the following directions;

....."Let further report by HPPCB ascertaining the compliance of the concerned authorities and report by SDM, Keylong be filed within six week".....

Accordingly the Head Office, HPSPCB, Shimla vide letter no. PCB-OA No. 145/2025-12047-048 dated 01.11.2025 has sought Inspection-cum-Action Taken/ Status Report indicating regulatory & preventive measures taken in this matter which is as below;

2. Inspection-cum-Action Taken Report:

(i) Special Area Development Authority (SADA) Keylong:

It is submitted that in compliance of orders dated 13.10.2025 of the Hon'ble NGT, the undersigned had issued a letter no. PCB/RO Kullu (2609)/ O.A. No. 145/2024-3838-39 dated 20.11.2025 to the Member Secretary, SADA, Keylong to submit point-wise compliance report specifically addressing the directions of the Hon'ble NGT as well as the compliance of the notice dated 03.10.2025 issued by the State Board, but no compliance report has been submitted by the Member Secretary, SADA, Keylong till date (**Copy of the letter dated 20.11.2025 is enclosed as Annexure-1**). W

Thereafter, to ascertain status of the compliance, the inspection of Special Area Development Authority, Keylong was conducted by the undersigned along with the Member Secretary, SADA, Keylong-cum SDM, Keylong on dated 05.01.2026 and during the course of the inspection, following observations were made;

1. The dumping of Solid Waste has also been observed in hill slopes of Shakas Nallah and Billing Nallah near village Billing and Police Lines in the District Head Quarter, Keylong which indicates that there is no 100% collection of solid waste from door to door in SADA, Keylong. Further no corrective/ preventive measures has been taken to prevent the dumping of solid waste in aforesaid hot-spots however only one no. CCTV camera has been observed roadside near Shakas Nallah hot spot.
2. The littering of Solid Waste has been observed in the side drains of Sissu-Koksar road near the North Portal area of Atal Tunnel and near to BRO residence, and Gompathang Nallah near Sissu.
3. The MRF (Material Recovery Facility) provided at Billing was also inspected and it was observed that MRF was completely full of dry waste packed in PP bags and no space was left for storage & processing of waste. In addition to above no weigh bridge has been installed and record of solid waste received & disposal of RDF was maintained at site.
4. No warning sign boards/ signages w.r.t. awareness and penal actions for littering/ dumping of solid waste has been provided by SADA, Keylong.
5. SADA, Keylong has not framed bye-laws w.r.t implementation of Solid Waste Management Rules, 2016 and also not notified user charges for door to door collection of waste till date.

(Photographs taken during the inspection are annexed as Annexure-2).

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It pertinent to mention here that as per the meeting held under the chairmanship of the Secretary, RD & PR, Government of Himachal Pradesh on 26.06.2025 and proceedings conveyed vide Endst. No. SMG-17/2019-20-RDD(SBM-G)-13425-13537 dated 01.07.2025 wherein SWM responsibilities in areas notified under SADA shall be assigned to the respective Special Area Development Authorities (SADAs) as per the provisions contained under Sections 66(4) and 67 of the Himachal Pradesh Town and Country Planning Act, 1977, the responsibility of Solid/Liquid Waste Management in areas notified under Special Area Development Authorities (SADAs) has been entrusted to the respective SADAs. This obligation is binding only on those SADAs which are already engaged in SWM activities, and such authorities are required to take effective steps for proper management within their jurisdiction. In areas outside notified SADAs, Gram Panchayats shall remain fully responsible for implementation of SWM activities as per provisions of the Himachal Pradesh Panchayati Raj Act, 1994 **(Copy of the minutes of the meeting are enclosed as Annexure-3).**

(ii) Status of Material Recovery Facility, Koksar:

It is submitted that the inspection of the Material Recovery Facility (MRF), Koksar could not be conducted due to snow-bound conditions in Koksar area. Further, M/s Healing Himalayas, NGO (operator of MRF, Koksar) has already intimated this office vide letter No. Nil dated 02.01.2026 through e-mail regarding the temporary winter-closure of the MRF at Koksar owing to heavy snowfall and black ice conditions prevailing in the area. The aforesaid NGO has also informed that during this season, approximately 7 tons of waste is sent for recycling, out of the total collected waste of 14+ tons contributing to better waste management in the

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region despite difficult conditions (Copy of letter dated 02.01.2026 is enclosed as Annexure-4).

This is submitted for your kind information and necessary action, please.



(Er. Sunil Sharma)
Assistant Environmental Engineer,
HPSPCB, R.O. Kullu

Annexure-1

Speed Post

Hon'ble NGT matter

**H.P.STATE POLLUTION CONTROL BOARD**

Regional Office: HIMUDA, Shopping Complex, Hall No-5,

Kullu, Pin-175101 (H.P)Phone: 01902-223149

Website: <http://hppcb.nic.in> e-mail: pcbokullu1@gmail.com

No.PCB/RO Kullu (2609)/O.A. No. 145/2024-3838-39

Dated: 20-11-2025

To

The Member Secretary, Special Area Development Authority (SADA),
Keylong, at Keylong, Tehsil Lahaul, Distt. L&S (H.P.).

Sub: Order dated 13.10.2025 passed by the Hon'ble NGT in O.A. No. 145/2024 titled Friends V/s Union of India & Ors.

Sir,

This is in reference to the directions of the Hon'ble National Green Tribunal (NGT) vide order dated 13.10.2025, wherein, the Hon'ble NGT has sought further report from the State Board ascertaining the compliance of the concerned authorities, along with a report from the SDM, Keylong, within six weeks. The relevant extract of the aforesaid order is reproduced as under;

".....Let further report by HPPCB ascertaining the compliance of the concerned authorities and report by SDM, Keylong be filed within six weeks....."

(Copy of the order dated 13.10.2025 is enclosed as Annexure-I).

In this context, it is submitted that this office has already issued a notice to SADA, Keylong vide letter No. 3458-59 dated 03.10.2025, seeking compliance of provisions of the Solid Waste & Plastic Waste Management Rules, 2016 on the points indicated in the aforementioned notice dated 03.10.2025 however, the requisite action-taken report/updated compliance status is still awaited.

It is further submitted that the aforesaid matter is time-bound and of environmental significance and is to be listed on dated 16.01.2026 before the hon'ble NGT. .

Hence, you are kindly requested to furnish a detailed and point-wise compliance report at the earliest, specifically addressing the directions of the Hon'ble NGT as well as the observations communicated through the aforementioned notice dated 03.10.2025 to this office at the earliest to enable timely filing of the compliance report before the Hon'ble Tribunal.

This is submitted for your kind information and necessary action, please.

Yours faithfully,

Encl: As above.

(Er. Sunil Sharma)
AEE-cum-Regional Officer,
HPSPCB, RO Kullu

O/C

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Copy forwarded to the Member Secretary, HPSPCB, Shimla w.r.t. letter no. PCB/OA No. 145/2025-12047-048 dated 01.11.2025 for kind information, please.


(Er. Sunil Sharma)
AEE-cum-Regional Officer,
HPSPCB, RO Kullu
o/c

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Annexure-2





Photographs depicting littering of solid waste in the side drains on Sissu-Koksar Road.



Photographs depicting littering of solid waste near BRO residence.





Photographs depicting dumping of solid waste on the hill side of Shakas Nallah.





Photographs depicting dumping of solid waste on the hill side of Billing Nallah.



Photographs depicting dumping of solid waste on the hill side of Gompathang Nallah.



Photographs depicting the status of MRF at Billing.



District Swachh Bharat Mission (G) Kullu Office of District Rural Development



दूरभाष - 01902-223444, 222296, ईमेल - sbmkullu@gmail.com

No. DRDA/ Kullu/SBM/5-2020/1052-57

Dated- 24 July, 2025

To,

All Block Development Officers,
In District - Kullu

Subject -

Regarding - Directions passed by hon'ble Secretary (RD&PR) during the meeting held on 26.06.2025 to resolve institutional ambiguity regarding SWM responsibilities between SADA and Gram Panchayats.

Sir/Ma'am,

Please find enclosed herewith a copy of the proceedings of the meeting held on 26.06.2025 under the chairmanship of hon'ble Secretary (RD&PR) received vide letter no. SMG-17/2019-20-RDD(SBM-G)-13425-537 dated 01.07.2025, forwarded to this office from the office of DC Kullu for necessary action. The meeting addressed key issues and directives related to resolve institutional ambiguity regarding SWM responsibilities between SADA and Gram Panchayats in overlapping jurisdictions.

You are therefore, requested to go through the proceedings carefully and ensure that necessary actions are taken in accordance with the instructions and decisions recorded therein. Kindly circulate the same with all the concerned Gram Panchayats of your jurisdiction for immediate compliance and implementation.

Encl. - 3

Regards,

(D. R. Thakur)
District Development Officer,
District Rural Development,
District - Kullu (H.P)

Endst. No. DRDA/ Kullu/SBM/5-2020/1052-62
Copy forwarded to -

Dated-24 July, 2025

1. The Director, RDD GoHP for information please.
2. DC Kullu, district Kullu for information please.
3. ADC Kullu for information please.
4. District Panchayat Officer, district Kullu for information and necessary action please.
5. Member Secretary SADA, district Kullu for necessary action and compliance as per the instructions and decisions.

District Development Officer,
District Rural Development,
District - Kullu (H.P)

Proceeding of the Meeting held on dated 26th June 2025 at 3:00 PM in the Chairmanship of Secretary (RD&PR) in Room No. 401 at HP Secretariat, Shimla

A meeting was held under the chairmanship of the Secretary RD&PR, Government of Himachal Pradesh on 26.06.2025 to resolve institutional ambiguity regarding Solid Waste Management (SWM) responsibilities between SADAs and Gram Panchayats in overlapping jurisdictions and to formulate actionable directions for role clarity and effective execution. The meeting was attended by the following officers:

1. Director, Town & Country Planning Department, Himachal Pradesh.
2. Additional Director, Rural Development Department, Himachal Pradesh.

Agenda:

1. To resolve institutional ambiguity regarding Solid Waste Management (SWM) responsibilities between SADAs and Gram Panchayats in overlapping jurisdictions.
2. To deliberate on the legal framework and administrative practice regarding SWM in Special Area Development Authorities (SADA) areas.
3. To formulate actionable directions for role clarity and effective execution.

Secretary (RD&PR) apprised that Solid Waste Management in Himachal Pradesh is governed by the Solid Waste Management Rules, 2016. Institutional ambiguity has arisen due to overlapping geographical jurisdictions of SADAs and Gram Panchayats. While Gram Panchayats are constitutionally mandated to handle SWM, SADAs have overriding statutory authority under Section 66(4) of the Himachal Pradesh Town and Country Planning Act, 1977, where so notified by the State Government.

Discussions:

It was highlighted that under the Solid Waste Management Rules, 2016, and the Himachal Pradesh Town and Country Planning Act, 1977, the SADAs, once authorized, assume primary responsibility for municipal services including SWM. Gram Panchayats have concurrent roles under the Himachal Pradesh Panchayati Raj Act, 1994, but ambiguity exists in areas where SADAs overlap with Gram Panchayat jurisdictions.

The Director TCP pointed out the statutory role and functions of SADAs, highlighting that these are established to provide planned urban services, including sanitation and SWM, especially in fast-growing and tourist-inflow regions.

*Discussed
DPC (SWM)
DDP
21/7/2025*

3. The Additional Director RDD highlighted the confusion on ground between Gram Panchayats and SADA authorities regarding land for SWM, user charges center cum skill and garbage collection & disposal thereafter. It was acknowledged that this dual control leads to fragmented infrastructure planning, poor monitoring, and duplication of financial and human resources.

Decisions Taken:

1. SWM responsibilities in areas notified under SADA shall be assigned to the respective Special Area Development Authorities (SADAs) as per Sections 66(4) and 67 of the Himachal Pradesh Town and Country Planning Act, 1977. This will be binding to only those SADAs as of now which are already involved in SWM activities, they will take effective steps for Solid/ Liquid Waste Management in their jurisdiction.
2. In areas outside notified SADAs, Gram Panchayats shall remain fully responsible for implementation of SWM activities as per provisions of the Himachal Pradesh Panchayati Raj Act, 1994.
3. Deputy Commissioners (DCs) of respective districts shall convene coordination meetings with concerned SADA authorities and Block Development Officers (BDOs) to:
 - Clearly demarcate areas under SADA and Panchayat control for SWM activities.
 - Assign SWM responsibilities accordingly.
 - Avoid overlap or duplication in implementation and monitoring of Solid Waste Management.
4. The Director, TCP will issue directions to member secretary SADAs to take effective steps immediately for SWM activities in their respective jurisdiction. In SADA areas where SWM activities are presently not being done by SADA, they may proceed for same as per the provisions of Section 70 (V) & 70 (VI) of Himachal Pradesh Town and Country Planning Act, 1977.
5. Based on the outcomes of DC-led meetings, official minutes shall be recorded and circulated to all stakeholders including PRIs and SADA offices.
6. **The Rural Development Department shall issue guidelines accordingly and refrain from levying user charges and collection of garbage's from door to door in Gram Panchayats in notified SADA areas where SADA is involved in SWM activities henceforth.**

Q. No. RE 7385386461N

11.7.25/15.7.25

DE Office Kullu
PC
DC/ADM/AC/DRO
Gr-I 215/2125
Diary No. & Date
Branch

The meeting concluded with consensus that clear role demarcation is essential to improve operational efficiency, ensure statutory compliance, and enable smooth implementation of solid waste management in both rural and semi-urban regions. Deputy Commissioners were entrusted with a central role in ground-level resolution and coordination.

by
Secretary (Rural Development & Panchayati Raj)
Government of Himachal Pradesh

Endst. : No. SMG-17/2019-20-RDD (SBM-G)

13425-13537

Dated

01 July 2025

Copy forwarded to

- 1 Director, Rural Development, HP for information and further necessary action.
- 2 Director, Town & Country Planning, HP for information and further necessary action.
- ✓ 3 All Deputy Commissioners, Himachal Pradesh – for immediate necessary action.
- 4 All BDOs – for immediate necessary action.
- 5 Member Secretaries of all SADAs– for immediate necessary action.

by
Secretary (Rural Development & Panchayati Raj)
Government of Himachal Pradesh

DDA
immediate
Fix a meeting
urgently
16/7/25



HEALING HIMALAYAS FOUNDATION

B 302 Pioneer Urban Square, Sector 62 Gurugram, Haryana - 122102
 +91 7827097975
 connect@healinghimalayas.org

Date - 2nd January, 2026

To
 The Regional Officer
 Himachal Pradesh Pollution Control Board, Kullu

Subject: Temporary Winter Closure of MRF at Koksar

Respected Sir/Madam,

This is to inform you that due to heavy snowfall and black ice conditions, the access road to the Material Recovery Facility (MRF) at Koksar has become unsafe and inaccessible. With increasing snowfall, commercial activities in the region are also starting to reduce. In view of these conditions, it is not feasible to continue operations during the winter months.

Therefore, the MRF at Koksar will remain closed from 3rd January, 2026 onwards, and operations will resume once the roads reopen in the next season.

We would also like to update you that during this season, approximately 7 tons of waste is sent for recycling, out of the total collected waste of 14+ tons contributing to better waste management in the region despite difficult conditions.

However, we wish to bring to your kind attention a major operational challenge. For the past two months, only one worker from SADA was available, since the rest all left in November. Due to this, the organisation had to manage waste collection and processing on its own by hiring additional workers at our own cost, which amounted to approximately ₹1.10 lakhs. During this period, we still managed to collect and handle 6.88 tons of waste in November-December, which is a peak period due to early winter tourism and New Year inflow.

In this regard, We seek your support in ensuring the availability of regular workers in the coming season, so that waste management operations can continue smoothly without placing an additional financial burden on the organisation.

We request the authorities to kindly ensure that no waste is dumped or disposed of near the MRF during the closure period, to avoid environmental damage and operational issues when the facility reopens.

We look forward to your continued guidance and support in strengthening waste management systems in the region.

Thank you for your cooperation.

Yours sincerely,

Healing Himalayas Foundation