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**Next Hearing Date: 08.10.2025**

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL

BENCH, NEW DELHI

MA No. 58 OF 2024

IN

ORIGINAL APPLICATION No. 147/2022

**IN THE MATTER OF:**

KRISHNA DAS K V

.... APPLICANT

VERSUS

STATE OF KERALA

.... RESPONDENT

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**Filed on: 07.10.2025**

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**REPORT FILED BY CHIEF SECRETARY FOR STATE OF KERALA**

**FILED BY: NISHE RAJEN SHONKER FOR STATE OF KERALA**

**REPORT FILED BY THE GOVERNMENT OF KERALA,  
ENVIRONMENT DEPARTMENT IN COMPLIANCE WITH THE  
ORDER OF TRIBUNAL in OA No. 147/2022 & OA No. 606/2018**

The National Green Tribunal vide order dated 16.07.2025 in MA No.58/2024 in OA No. 147/2022 with OA No.640/2024 ordered as follows:-

*"10. The above stand does not disclose any decision of the Chief Secretary taken in compliance of the order dated 25.04.2019 passed in OA No. 606/2018 to continue the State Level Monitoring Committee. The Tribunal by order dated 10.11.2023 passed in M.A No. 62/2023 has not found proper to continue such State Level Monitoring Committee appointed by the Tribunal in the case of State of Uttar Pradesh.*

*11. Thus, we find that inspite of the direction of the Tribunal the correct position has not been disclosed by the Chief Secretary, State of Kerala and he has not filed any order passed for continuing such State Level Monitoring Committee on expiry of six months after the order dated 25.04.2019.*

*12. In spite of the repeated direction, the Chief Secretary is not disclosing the correct position therefore the Chief Secretary, State of Kerala is directed to appear virtually on the next date of hearing to appraise the Tribunal on this issue.*

*13. List on 08.10.2025."*

The Tribunal, Principal Bench, New Delhi again vide order dated 29.07.2025 in OA No. 606/2018 has observed as follows:-

*"4. Regarding the functioning of the Committee Headed by the Retired Judge of High Court, we have pointed out the Tribunal's order in MA No. 58/2024 in OA 147/2022 and the Chief Secretary has assured to examine the issue and act accordingly."*

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It is submitted that, taking note of the above orders, the State of Kerala has examined the matter in detail. Deliberations and discussions with various departments at various levels were done.

It is submitted that the State of Kerala has taken several steps to comply with the Solid Waste Management Rules, 2016. Several agencies under the Government are also entrusted with various duties for achieving the waste free Kerala Moto. Roles of different associated agencies other than the Local Self Government Institutions are being submitted for kind information of the Tribunal.

### Role of organizations

In Kerala's solid waste management (SWM) system, four key institutions; **Local Self Government Institutions, Suchitwa Mission, Clean Kerala Company Ltd. (CKCL), and Haritha Karma Sena (HKS)** work in an integrated and complementary manner to ensure effective planning, collection, processing, and disposal of waste.

**Local Self-Government Institutions (LSGIs)** such as Panchayats, Municipalities, and Municipal Corporations play a crucial, frontline role in managing solid and liquid waste at the local level. Their proximity to the community and direct responsibility for civic services make them the key implementers of waste management policies. LSGIs act as planners, implementers, and facilitators, ensuring effective, sustainable, and community-based waste management. LSGIs are formulating local waste management plans, bylaws, and user charges based on the prevailing waste management systems. They are responsible for ensuring door-to-door collection and promoting source segregation of waste. Primary safe transport and scientific disposal of waste is governed by concerned LSGIs.

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Based on the gap analysis reports, LSGIs set up composting units, recycling centres, and promoting decentralized treatment. The LSGIs also play a role in awareness & participation by conducting public awareness campaigns and involving communities, SHGs, and NGOs.

**Suchitwa Mission**, functioning under the Local Self Government Department, is the state-level nodal agency responsible for framing policies, developing strategies, and providing technical guidance to local self-government institutions (LSGIs). It plays a crucial role in planning and coordinating waste management projects, preparing guidelines, offering training and capacity building for officials and workers, conducting public awareness campaigns on waste reduction and segregation, and monitoring the progress of SWM initiatives across the state. It also helps local bodies access funds and ensures compliance with national and state waste management regulations.

In order to handhold the LSGIs in implementing waste management projects, Suchitwa Mission as a technical advisory group, empanel agencies for giving technical support, services and forward linkages of processing/co-processing facilities of bio waste. As of now there are 220 private agencies empanelled for various waste management activities such as supply of source level waste management devices, installation of waste management devices, collection, transportation, and operation and management of special waste, forward linkage of recyclable and non recyclable waste etc.. These private agencies play a crucial role in effective management systems of the LSGIs.

**Clean Kerala Company Ltd. (CKCL)** serves as the **operational and logistical arm** of the system. It focuses primarily on handling non-biodegradable waste by collecting, transporting, storing, and

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supplying it to authorised recyclers. CKCL establishes market linkages for recyclables, ensuring that plastic and other non-biodegradable materials are diverted from landfills and reused in industries. It also supports local bodies by providing infrastructure such as shredding units and baling machines, facilitates Extended Producer Responsibility (EPR) compliance by coordinating with manufacturers, and helps generate revenue for LSGIs through the sale of recyclables.

At the **community level**, the **Haritha Karma Sena (HKS)** acts as the direct link between citizens and the formal waste management system. Comprising mainly trained women workers and **Kudumbashree** members, HKS is responsible for door-to-door collection of household and institutional waste, ensuring segregation at source, and transporting segregated materials to Material Collection Facilities (MCFs) and Resource Recovery Facilities (RRFs). They also collect user fees, educate communities about proper waste disposal practices, and report issues like illegal dumping. Their activities are often tracked through digital platforms like the Haritha Mithram app, which ensures transparency and accountability.

Together, these three agencies form a coordinated and multi-tiered structure: Suchitwa Mission provides the policy direction and technical backbone, CKCL manages the backend logistics and recycling network, and HKS ensures community participation and grassroots-level implementation. This integrated approach has helped Kerala become a model state in decentralised, community-driven, and sustainable solid waste management.

A major initiative by the state of Kerala for timely actions and upgrading the reporting mechanism was Haritha Mithram

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Application. The new initiative paved a grass root level for monitoring the waste management activities done by the LSGIs

### Haritha Mithram App

Haritha Mithram is a smart garbage management / waste-monitoring application developed in Kerala. It was developed by Keltron under the guidance of the Haritha Keralam Mission, Suchitwa Mission, and the Local Self Government Department (LSGD). It is meant especially for coordinating, tracking, and supervising non-organic (i.e. non-biodegradable) waste collection, handling, transportation, disposal, along with associated user fees etc.

- The app is being used by LSGIs (Local Self Government Institutions) across Kerala: Gram Panchayats, Municipalities, etc. Authorities can see in real time how waste collection, pickup, and disposal are happening: whether Haritha Karma Sena workers are following schedule, whether collection vehicles are moving correctly, etc.
- As of recent reports, about 98% of local governments in the state have adopted it; remaining ones are being brought on board. Households and institutions register on the app. Each house / institution gets a QR code which is placed at or near the entrance. Waste-collection workers (Haritha Karma Sena / green volunteers) scan this QR code to track collection, fees, etc..
- Citizens can use the app to file complaints (e.g. missed pickup, illegal dumping), and track service history. They can see scheduled collections for their area; also be informed of fee payment etc.

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- The app is integrated with tracking of mini material collection facilities (Mini-MCFs), Material Collection Facilities (MCFs), Resource Recovery Facilities (RRFs), etc. It keeps data on when these facilities are being emptied, when waste needs pickup, to avoid accumulation.
- The Kerala Govt is upgrading/integrating Haritha Mithram with K-SMART (Kerala Solutions for Managing Administrative Reformation and Technology). The newer version (Haritha Mithram 2.0) will include more features (on demand pick-ups, notification to citizens, better dashboards etc.).

### Key Amendments in Kerala Laws for Waste Management

#### 1. Kerala Panchayat Raj Act – Amendments

- The **Kerala Panchayat Raj (Amendment) Act, 2024** include provisions to strengthen waste management.
- In the Act, after “welfare programmes,” the words “*waste management*” have been inserted (section 189 sub-section in principal act) to make waste management a formal responsibility.
- The heading of **Chapter XX** has been amended from “Health” to “Health and Waste Management” to reflect inclusion of waste concerns.
- Organisers of events/public gatherings exceeding 100 persons are now required to:

1. Intimate the Village Panchayat (or relevant local body) at

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least **three working days** in advance.

2. Ensure **segregation of waste at source**, and hand over segregated waste to the agency/local body specified by the Panchayat; and pay a fee fixed by the Panchayat.
- Under section 219D of the Panchayat Raj act (new replacement in the amendment) there is a duty on each Village Panchayat to arrange **door-to-door collection** of segregated waste from households, commercial premises, multi-storied buildings, etc.

## 2. Kerala Municipality Act – Amendments

- The **Kerala Municipality (Amendment) Act, 2024** introduces a new chapter *CHAPTER XVIA - Management of Waste*.
- Definition of “waste management” is formalised, including segregation, collection, transportation, storage, processing, disposal of waste including solid waste.
- Provisions that:
  - Municipalities must have solid, liquid, sewage or faecal sludge treatment plants, and where such plants do not exist but vacant land is available (within or outside municipal area), such projects are to be undertaken as top priority.
  - Municipalities should identify suitable land for waste management, possibly through acquisition or lease, and ensure that land previously used for waste management is not diverted without government sanction.

- Stronger penalties / enforcement:

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- Violations of waste management rules now attract **finer up to ₹50,000** and **imprisonment for up to one year**.
  - Dumping in public/private land: Secretary has powers to impose fines (dumping fine increased to ₹5,000) after notice, etc.
  - If violators don't pay fines, the amounts may be treated as public tax arrears.
- Other features:
    - The Local Self Government Department has been given power to direct municipalities to follow the rules under the Environment (Protection) Act etc.

### Enforcement

These are special teams created by the Local Self Government Department (LSGD) to ensure compliance with waste management laws, rules, and the recent amendments in Panchayat Raj/ Municipal Acts. They are part of Kerala's campaign such as *Malinya Mukta Nava Keralam* (Waste-free New Kerala) to curb illegal dumping, improve segregation, ensure proper treatment/ disposal etc. There are 23 district-level enforcement squads across the state. In many districts, there are two squads each; in some districts only one.

- A typical squad includes:
  1. Officer from the Internal Vigilance Wing.
  2. District Suchitwa Mission Enforcement Officer.

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3. Officer nominated by the LSG Joint Director.
  4. A police officer under relevant jurisdiction.
  5. Technical expert from the State Pollution Control Board or equivalent.
- Officials are rotated approximately every six months to avoid stagnation / bias. The squads are empowered to do several things:

### 1. Detection & inspection

- Inspect for illegal dumping of waste in public/private properties, water bodies.
- Check compliance with source segregation, storage, proper disposal.
- Inspect bulk waste generators, institutions, commercial establishments etc.
- Squad submits reports and findings monthly to district joint directors or relevant authorities.
- Enforce bans on single-use plastic, inspect suppliers/sellers, etc

### 2. Seizure & penal action

- Seize vehicles carrying illegally dumped waste.
- Confiscate banned single-use plastics.
- Impose spot fines, issue notices to violators.

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### 3. Coordination with police & PCB

- The squads include police officers; police help in arresting violators if needed.
- Technical experts (Pollution Control Board) help in identifying non-compliance with environmental regulation including single use plastics.

As per Warroom portal data, 82126 no.of inspections have been conducted in this financial year, till date(25.09.2025). In which, actions have been initiated against 82080 violations. A total of ₹3,38,68,760/- has been collected against the fines imposed while enforcement actions.

The support of the public was very crucial for attaining a fool-proof enforcement mechanism. Another great initiative of the Kerala Government was introduction of Single Whats App Number.

#### The single WhatsApp number

The Kerala Government introduced the single WhatsApp number (9446700800) and the state-level reporting system for illegal dumping as part of a larger waste-management reform plan, mainly to improve enforcement, citizen participation, and rapid response. **The single WhatsApp number** in Kerala for reporting illegal waste dumping is **9446700800**. The public can send evidence (photos/videos, location, time) via WhatsApp to that number. Complaints are coordinated with the relevant **local body / LSGI** (Panchayat, Municipality, Corporation) for action and enforcement under local laws and fines shall be imposed against the defaults. The WhatsApp number makes it simple, direct, and quick for anyone to report illegal dumping. It

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turns waste management into a community-driven initiative, encouraging people to take ownership of their surroundings.

As per warroom data from 20-09-2024 till date, a total of 770 complaints were raised from the public through the whatsapp number. prosecution actions initiated against 63 complaints. ₹29,99,610/- collected as fine against 770 reported complaints.

### Meetings

- The State Level Monitoring Committee (SLMC), constituted for the Implementation of Plastic Waste Management Rules, 2016 has been reconstituted vide G.O.(Rt)No.1318/2025/LSGD dated 28-05-2025.
- The first meeting of the State Level Monitoring Committee for the effective Implementation of Plastic Waste Management Rules, 2016 has been convened under the chairmanship of Special Secretary, Local Self Government Department on 17.09.2025 in her chamber.
- The second meeting is scheduled in the third week of Oct, 2025.
- Periodic review was also conducted at the Principal Director Level for timely project implementations, which effectively handhold the entire system to work in full swing.

### The State Level Monitoring Committee (SLMC)

The State Level Monitoring Committee (SLMC), was constituted pursuant to the directions of the Hon'ble National Green Tribunal (NGT) in Original Application (OA) No. 606/2018; "Compliance of Solid Waste Management Rules, 2016" and related matters, with the

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primary objective of overseeing, coordinating, and facilitating compliance of environmental norms and waste management rules across the State.

Over the past few years, the Government of Kerala has undertaken significant institutional reforms and capacity-building measures in the environmental governance and solid waste management sectors. As a result, robust and comprehensive institutional mechanisms are now in place to perform all functions initially entrusted to the SLMC.

- A high-level committee chaired by the Chief Secretary, State Level Empowered Committee (SLEC) reviews and monitors compliance with Solid Waste Management Rules, 2016, and other waste-related rules periodically.
- The State Pollution Control Board (KSPCB), fully functional with statutory powers under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, and actively monitoring compliance and enforcement of waste management and environmental regulations.
- Suchitwa Mission as the nodal agency for providing technical support to LSGIs, for implementing the solid and liquid waste management projects in urban and rural local bodies, ensuring project planning, implementation, and capacity building at the grassroots level. The technical Guidelines and SOPs for handling various waste streams are also prepared by the mission.
- State Level Monitoring under Swachh Bharat Mission (Urban and Gramin): Regular review and reporting mechanisms already

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exist under SBM guidelines.

- District Level Monitoring Committees (DLMCs): Chaired by District Collectors, these ensure decentralized monitoring, field-level review, and inter-departmental coordination.

Given the maturity, effectiveness, and routine functioning of the above mechanisms, the continuation of the SLMC has become redundant. The overlapping roles and functions may lead to duplication of efforts and administrative inefficiency.

Therefore, in view of the robust institutional frameworks already operational in Kerala and the streamlined monitoring and enforcement mechanisms now in place, **the State Government finds it appropriate to dissolve the SLMC constituted in compliance with OA No. 606/2018.** This step will avoid parallel structures, enhance administrative efficiency, and strengthen accountability within the existing statutory and policy frameworks. **Accordingly, Government have decided to dissolve the SLMC with immediate effect and to issue necessary orders.**

It is further submitted that, in compliance with the order of the Hon'ble Tribunal dated 17.03.2025 in the M.A No.58/2024, the State of Kerala had already submitted a detailed status report on the clarifications sought by the Hon'ble Tribunal, vide affidavit of the Chief Secretary dated 15.07.2025.

In view of the actions taken so far as submitted in the afore paragraphs, and due to the pre-decided meeting of the Council of Ministers on 08.10.2025 and since the State Legislative Assembly is

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in Session, it is humbly submitted that the direction issued to the Chief Secretary to appear virtually on 08.10.2025, may kindly be dispensed with.

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