

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

Original Application No. 294/2025

IN THE MATTER OF:-

News item titled "From paradise to landfill? Viral video shows famous Himachal Pradesh hill station turned into a garbage dump" appearing in 'The Economic Times' dated 30.05.2025.

Versus

STATE OF HP & ORS.

...Respondents

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Vakalatnama

Signature
Secretary (RD & PR)
to the Govt. of H.P.
Shimla-171002

Command
FILED THROUGH
Secretary (RD & PR)
to the Govt. of H.P.
Shimla-171002

COUNSEL FOR THE RESPONDENTS No. 8



ANIL JARYAL

Chamber No.109, Block-03,
Delhi High Court.

Email: aniljaryal07@gmail.com
Mob: 9871277207

Dated: 13.1.26,

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

Original Application No. 294/2025

IN THE MATTER OF:-

News item titled "From paradise to landfill? Viral video shows famous Himachal Pradesh hill station turned into a garbage dump" appearing in 'The Economic Times' dated 30.05.2025.

Versus

STATE OF HP & ORS.

...Respondents

**REPLY/AFFIDAVIT ON BEHALF OF RESPONDENT NO. 8 I.E.
SECRETARY, RURAL DEVELOPMENT, GOVT. OF HIMACHAL
PRADESH IN COMPLIANCE OF ORDER DATED 13.11.2025 PASSED
BY THIS HON'BLE TRIBUNAL.**

MOST RESPECTFULLY SHOWETH:

I, C. Paulrasu S/o Sh. K.V. Chellamuthu, age 47 Years, occupation Government servant presently posted as Secretary, Rural Development, to the Govt. of Himachal Pradesh, Shimla, hereby, solemnly affirm and state as under:-

1. That vide order dated 13.11.2025, the Hon'ble Tribunal was pleased to pass the following Orders:-

"9. In view of the facts and circumstances of the case and also the fact that in O.A. No. 606/2018, Compliance of Municipal Solid Waste Management Rules, 2016, Chief Secretary, Government of Himachal Pradesh is monitoring the aspect of compliance of Solid Waste Management Rules, 2016, State of Himachal Pradesh through Chief

A T T E S T E D

(R)
Date Commissioner.

(Signature)
Secretary (RD & PR)
to the Govt. of H.P.
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Secretary, Government of Himachal Pradesh is impleaded as respondent no. 6. In view of relevant provisions of the Solid Waste Management Rules, 2016, the Principal Secretary, Urban Development Department and Principal Secretary, Rural Development Department, Government of Himachal Pradesh are impleaded as respondents no. 7 and 8”.

2. That the answering respondent respectfully submits that this department is fully committed to the conservation of environment, sustainable development and enforcement of environmental law in the state, including the Solid Waste Management Rules, 2016. Further, the State is determined to implement the Solid Waste Management Rules to affirm that environmental protection is policy priority aiming at prevention of ecological balance for present and future generations.
3. **That in compliance with Rule 13 read with Rule 11 (1) (a) of the Solid Waste Management Rules, 2016,** the Department has duly notified the *Policy for Solid Waste Management Facilities in Rural Areas* on 07.05.2025. Copy of policy for Solid Waste Management Facilities in Rural Areas, 2024, is annexed herewith as **Annexure R-I**. The Policy aims to strengthen institutional mechanisms and ensure effective enforcement of the Himachal Pradesh Panchayati Raj Act, 1994 and the Solid Waste Management Rules, 2016, thereby promoting scientific waste management practices and environmental sustainability in rural areas of the State.

It is pertinent to mention here that Solid Waste Management and Sanitation in Rural Areas Model Bye Laws 2025 have also been prepared under Section 188 of the Himachal Pradesh, Panchayati Raj Act, 1994 in consultation with various stakeholders as required under **Rule 13 read with Rule 11 (1) (a)** of the Solid Waste Management

ATTESTED

Q. No. 1
Commissioner.


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Rules, 2016. Copy is annexed as **Annexure R-II**.

In accordance with **Rule 13 read with 11 (1) (b)**, the Model Bye-Laws, under Chapter-II *Principles of Management of Rural Solid Waste*, incorporate provisions related to waste reduction and reuse at source, as well as waste recycling.

Further, as per **Rule 13 read with 11 (1) (c)**, necessary provisions relating to *Rural Solid Waste Collection and Transportation* have been included in Chapter-III of the Model Bye-laws.

In compliance with **Rule 13 read with 11 (1) (d)**, the responsibilities of various stakeholders have been detailed under Chapter-VI of the Model Bye-laws for ensuring implementation of provisions of these Rules by all local authorities.

In compliance with **Rule 13 read with 11 (1) (f)**, steps have been taken for identification and allocation of suitable land for waste management facilities as elaborated in paragraph 4,5 and 6 below.

4. That as per SBM-G Phase-II guidelines issued by the Department of Drinking Water and Sanitation, Ministry of Jal Shakti, each Block in the State is required to establish a Plastic Waste Management Unit (PWMU) for processing non-biodegradable waste. At present, 55 PWMUs have been established in the State, out of which 51 are functional. At all these sites, sufficient land is allocated for these PWMUs.
5. It is submitted that most of the Government land in Himachal Pradesh is forest land which presents major impediment in establishment and extension of Waste Management facilities. It is pertinent to mention here that in **CWP No. 2369/2018 titled *Suleman Vs. Union of India &***

ATTACHED

Genl. Commissioner.

Commd
Secretary (RD & PR)
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Others, the Hon'ble High Court of Himachal Pradesh, vide order dated 13.05.2025, directed as under:

*"Set up Material Recovery Facilities(MRFs) or Plastic Waste Management Units (PWMUs) or Solid Waste Management Facilities (SWMF), for which forest clearance is required under the Forest Right Act, 2006, shall henceforth submit the cases on the line's as was done by the MRFs at Keylong (Gram Panchayat Tanti-Jagmurti)." Copy of order dated 13.05.2025 in CWP No.2369/2018 titled Suleman Vs. Union of India & Others is annexed herewith as **Annexure R-III**.*

6. Accordingly, in compliance with the orders of the Hon'ble High Court, the Department issued directions to all Districts on 23.05.2025 to ensure processing of land transfer cases for establishment of MRFs/PWMUs as per the Court's directions. Moreover, the Department has renamed the **"Plastic Waste Management Unit"** as the **"Waste to Wealth Vocational Training Centre-cum-Skill Upgradation Centre and PWMU,"** and issued a notification to all Districts on 16.06.2025 to facilitate and expedite transfer of forest land under the Forest Rights Act, 2006 for setting up such facilities.

Further, it is submitted that, in pursuance of the directions passed by the **Hon'ble High Court of Himachal Pradesh in CWP No. 2369/2018, dated 13.05.2025**, two sites have been identified at the Block Development Mashobra, District Shimla, and the Block Development Lahaul, District Lahaul & Spiti.. Approval for the said sites has been obtained from the concerned Forest Divisions under the provisions of Section 3(2)(k) of the Forest Rights Act, 2006 for the construction of a **"Waste to Wealth Vocational Training Centre-cum-Skill Upgradation Centre and Plastic Waste Management Unit (PWMU)."**

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Date: _____

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Secretary (RD & PR)
to the Govt. of H.P.
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7. That in compliance with **Rule 13 read with 11 (1) (j), of the Solid Waste Management Rules, 2016**, capacity-building programmes for Panchayati Raj Institutions (PRIs), District Development Officers, Block Development Officers, District Coordinators and Block Coordinators engaged under the Swachh Bharat Mission–Grameen (SBM-G), Self-Help Groups, and other stakeholders are being conducted at regular intervals at State level training institutions to promote source segregation and scientific processing of solid waste. Capacity-building programmes were conducted at the Panchayati Raj Training Institute (PRTI) Mashobra and Baijnath on 02–03 June 2023, 05–07 June 2023, 20–22 January 2025, 08–10 July 2025, 07–08 August 2025, 19–21 August 2025, 04–06 December 2025, and 15–17 December 2025 to strengthen the capacities of various stakeholders, including PRIs.

Further, the Himachal Pradesh Pollution Control Board conducted an online training programme for all Panchayat Secretaries in the State on 09.06.2025 regarding the execution of challans for the use of single-use plastics.

PRAYER

In light of the facts and submissions stated above, the Answering Respondent most respectfully prays that this Hon'ble Tribunal may kindly be pleased to take on record the present reply/compliance report. The Respondent humbly seeks any other relief or direction that this Hon'ble Tribunal may deem just, fair, and fit in the interest of justice.

ATTENDED

Utt. Commissioner

Utt. Commissioner
Deponent
Secretary (RD & PR)
to the Govt. of H.P.
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Verification:

I, the above-named deponent, do hereby verify that the contents of affidavit, paras 1 to 7 are true to the best of my knowledge and as per the information derived from the official record. No part of it is false and nothing material has been concealed therefrom.

Commed
Deponent
Secretary (RD & PR)
to the Govt. of H.P.
Shimla-171002

FILED THROUGH
COUNSEL FOR THE RESPONDENTS No.8

Deepsh
Identified by

Dated: 13.1.26

ANIL JARYAL, ADVOCATE
Chamber No.109, Block-03,
Delhi High Court.
Email: aniljaryal07@gmail.com
Mob: 9871277207

ATTESTED

R

Oath Commissioner

... that the above-mentioned was declared
in solemn affirmation on this ...
at ...
District of Shimla by Sh. ...
... identified by Sh. ...
... who is personally known to me and the
contents of the ... have been read
over & explained to the deponent in vernacular
... who admitted them to be correct and true at the
time of making thereof
Deepsh J.A.
13-1-26
Oath Commissioner
HP High Court, Shimla

All Cuttings, Corrections & Additions
are attested by me
13-1-26
Oath Commissioner

GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF RURAL DEVELOPMENT

No. RD-E04/1/2024-Loose Dated: Shimla-2, the 7th May, 2025.

NOTIFICATION

With a view to ensuring systematic, sustainable, and legally enforceable Solid Waste Management (SWM) in rural areas, the Governor, Himachal Pradesh is pleased to notify the "Policy for Solid Waste Management Facilities in Rural Areas, 2024". This policy aims to strengthen institutional mechanisms, enforce financial sustainability, and establish a legally binding framework under the Himachal Pradesh Panchayati Raj Act, 1994 and the Solid Waste Management Rules, 2016 to promote scientific waste disposal and environmental sustainability.

1) Short Title and Commencement

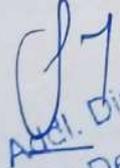
- a) This policy shall be called the "Policy for Solid Waste Management Facilities in Rural Areas, 2024."
- b) It shall come into force from the date of its notification in the e-Gazette and shall remain in force unless modified or superseded by a subsequent order of the Government of Himachal Pradesh.

2) Definitions:

For the purpose of this policy, unless the context otherwise requires:

- a) "Gram Panchayat" means a local self-government institution as defined under the Himachal Pradesh Panchayati Raj Act, 1994.
- b) "Solid Waste Management (SWM)" refers to the collection, segregation, transportation, processing, and disposal of solid waste in accordance with the Solid Waste Management Rules, 2016.
- c) "Self-Help Groups (SHGs)" means registered community-based groups engaged in economic activities, as per the Himachal Pradesh Self-Help Groups Act, 2018.
- d) "Plastic Waste Management Units (PWMUs)" refers to processing units established under the Plastic Waste Management Rules, 2016.

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Asst. Director
Rural Dev. Deptt.


Secretary (Rural Development)
to the Govt. of Himachal Pradesh

3) Applicability of the Policy

This policy shall be applicable to all Gram Panchayats, Panchayat Samitis, Zila Parishads, and rural areas falling within the jurisdiction of the Government of Himachal Pradesh. It shall be binding upon:

- a) Gram Panchayats and rural local bodies, which shall be responsible for implementing solid waste management programs.
- b) Households, commercial establishments, and institutions that generate waste within rural areas.
- c) Waste processing and disposal entities, Self-Help Groups (SHGs), and private sector entities involved in SWM operations.

4) Objectives of the Policy:

- a) To establish a structured solid waste management system in all Gram Panchayats in line with Article 243G of the Constitution of India.
- b) To integrate SWM into the Gram Panchayat Development Plans (GPDs) for sustainable and decentralized waste management.
- c) To enforce waste segregation at source and develop processing infrastructure at the Panchayat, Block, and District levels.
- d) To implement financially viable models through the imposition of sanitation fees, utilization of 15th Finance Commission grants, and Public-Private Partnerships (PPP).
- e) To establish Plastic Waste Management Units (PWMUs) and community composting facilities at the Block level.
- f) To promote IEC (Information, Education, and Communication) campaigns for public awareness and behavioral change.

5) Institutional Framework

- a) Gram Panchayats shall be responsible for primary waste collection, segregation, and local processing in compliance with Section 44 of the Himachal Pradesh Panchayati Raj Act, 1994.
- b) Panchayat Samitis shall oversee inter-Panchayat coordination, training, and fund utilization under the 15th Finance Commission grants.
- c) Zila Parishads shall monitor policy implementation, ensure land allocation for PWMUs, and provide financial support to smaller Gram Panchayats.

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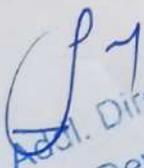
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Addl. Director,
Rural Dev. Deptt.

[Signature]

Secretary (Rural Development)
to the Govt. of Himachal Pradesh

- d) The Department of Rural Development shall formulate the Standard Operating Procedures (SOPs) for inter-agency coordination and issue necessary guidelines.
- e) The Urban Development Department shall collaborate with peri-urban Panchayats to facilitate waste disposal at existing urban waste processing facilities.
- 6) Financial Provisions
- a) Sanitation Fee: Gram Panchayats shall impose a mandatory sanitation fee on households and commercial entities, as authorized under Section 44 of the Himachal Pradesh Panchayati Raj Act, 1994.
- b) Utilization of 15th Finance Commission Grants: Tied grants shall be allocated for waste collection, transportation, and PWMU operation at the Panchayat Samiti level.
- c) PPP and CSR Models: Gram Panchayats may enter into Public-Private Partnerships (PPP) and Corporate Social Responsibility (CSR) agreements to enhance financial sustainability.
- d) Beside the above, grants may also be given by the Central or State Governments to the Panchayats and other PRIs for facilitating proper waste collection/segregation/disposal.
- 7) Waste Segregation and Processing
- a) Household-Level Segregation: Waste shall be segregated at the source into biodegradable, non-biodegradable, and hazardous waste before collection.
- b) Processing Infrastructure:
- i) One Plastic Waste Management Unit (PWMU) per Block shall be established with shredding, baling, and dust removal machinery.
 - ii) Community composting pits shall be created for biodegradable waste management.
 - iii) Self-Help Groups (SHGs) and Cluster Level Federations (CLFs) shall be trained in waste recycling, upcycling, and revenue generation activities.

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 Adl. Director
 Rural Dev. Deptt.



Secretary (Rural Development)
 to the Govt. of Himachal Pradesh

8) Penal Provisions

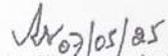
- a) Gram Panchayats shall impose fines on households and establishments violating waste segregation norms.
- b) Repeated non-compliance may result in the cancellation of trade licenses as per Section 120 of the Himachal Pradesh Panchayati Raj Act, 1994.

9) Monitoring and Evaluation

- a) Block Development Officers (BDOs) shall ensure the implementation of waste collection and processing mechanisms at the Block level.
- b) Deputy Commissioners shall monitor progress and submit quarterly reports to the Department of Rural Development.

10) Dispute Resolution

Any dispute arising from the interpretation of this policy shall be referred to the Secretary (Rural Development), Government of Himachal Pradesh, whose decision shall be final and binding.

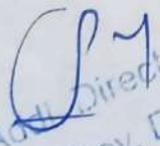

 (Rajesh Sharma), IAS
 Secretary (Rural Dev.) to the
 Government of Himachal Pradesh
 7th May, 2025.

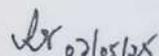
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1. The Principal Secretary to Chief Minister for information of Hon'ble CM of H.P.
2. The ACS/ Pr. Secy/ Secy (Finance) to the Govt. of H.P for information.
3. The Accountant General, (A&E), H.P, Shimla-3.
4. All the Divisional commissioners in Himachal Pradesh.
5. The Director, Rural Development, Kasumpti, Shimla with a request to circulate amongst all Districts, Blocks, Gram Panchayats and also upload the Scheme on the website.
6. The Director, IPR, Himachal Pradesh for wider publicity.
7. The Pr. Private Secretary to the Hon'ble RD& PR Minister, Himachal Pradesh for information.
8. All the Deputy Commissioners in Himachal Pradesh.
9. All District Development Officer, Himachal Pradesh.
10. All Block Development Officer, Himachal Pradesh.

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 Atty. Director
 Rural Dev. Deptt.


 (Rajesh Sharma), IAS
 Secretary (Rural Dev.) to the
 Government of Himachal Pradesh

STANDARD OPERATING PROCEDURE (SOP) FOR IMPLEMENTATION OF SOLID WASTE MANAGEMENT POLICY IN RURAL AREAS

1. Introduction

The Department of Rural Development, Government of Himachal Pradesh, has developed this Standard Operating Procedure (SOP) to ensure the effective implementation of the Policy for Solid Waste Management Facilities in Rural Areas, 2024. This SOP provides a structured approach for Gram Panchayats, Panchayat Samitis, Zila Parishads, and line departments to achieve systematic, sustainable, and legally enforceable solid waste management (SWM) in rural areas.

2. Objectives

The primary objectives of this SOP are:

- a) To establish a clear execution plan for rural SWM as per the policy guidelines.
- b) To define the roles and responsibilities of various stakeholders.
- c) To ensure compliance with the Solid Waste Management Rules, 2016, and Himachal Pradesh Panchayati Raj Act, 1994.
- d) To streamline fund utilization, monitoring, and evaluation of SWM initiatives.

3. Implementation Mechanism

3.1 Role of the Department of Rural Development

- a) Develop and issue Standard Operating Procedures (SOPs) for SWM implementation.
- b) Coordinate with the Department of Urban Development for peri-urban waste disposal.
- c) Allocate financial resources from 15th Finance Commission Grants for infrastructure development.
- d) Conduct State-level training programs for PRIs, BDOs, and sanitation workers.
- e) Issue necessary guidelines for inter-agency coordination between Gram Panchayats, Urban Local Bodies (ULBs), and waste management agencies.
- f) Develop IEC (Information, Education, and Communication) materials for public awareness campaigns.

3.2 Role of Zila Parishads

- a) Provide technical and financial support to Gram Panchayats for SWM implementation.
- b) Monitor and evaluate district-level SWM activities.

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Addl. Director
Rural Dev. Deptt.

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Secretary (Rural Development)
to the Govt. of Himachal Pradesh

- c) Allocate funds for **capacity building, IEC activities, and infrastructure creation.**
- Ensure proper utilization of **PWMUs and Material Recovery Facilities (MRFs).**

3.3 Role of Panchayat Samitis

- a) Oversee and support **Gram Panchayats in waste collection, processing, and infrastructure development.**
- b) Conduct **periodic training programs** for Gram Panchayat officials and sanitation workers.
- c) Ensure **timely utilization of 15th Finance Commission grants** for SWM projects.

3.4 Role of Gram Panchayats

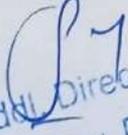
- a) Implement **door-to-door collection** of segregated waste through Self-Help Groups (SHGs) or outsourced waste collection agencies.
- b) Set up **community composting units** for biodegradable waste management.
- c) Identify and allocate land for **Plastic Waste Management Units (PWMUs) and waste segregation centers.**
- d) Impose and collect a **mandatory sanitation fee** from households and commercial establishments.
- e) Conduct **awareness campaigns** on waste segregation and disposal through Gram Sabha meetings.
- f) Enforce **penalties for illegal dumping, non-segregation, and burning of waste.**

4. Waste Collection, Processing, and Disposal

4.1 Waste Collection

- a) Households and businesses must **segregate waste** into:
 - i. **Biodegradable Waste (Green Bin)** – Food waste, garden waste, paper.
 - ii. **Non-Biodegradable Waste (Blue Bin)** – Plastic, glass, metal.
 - iii. **Hazardous Waste (Red Bin)** – Batteries, chemicals, medical waste.
- b) Waste shall be collected **daily or as per the schedule decided by the Gram Panchayat.**
- c) Waste collection shall be managed by **SHGs, CLFs, or designated waste collectors.**

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Addl. Director,
Rural Dev. Deptt.


Secretary (Rural Development)
to the Govt. of Himachal Pradesh

4.2 Waste Processing

- a) Biodegradable waste shall be composted at household or community composting units.
- b) Non-biodegradable waste shall be transported to Plastic Waste Management Units (PWMUs).
- c) Hazardous waste shall be disposed of as per guidelines from the Pollution Control Board.

4.3 Waste Disposal

- a) Gram Panchayats shall ensure scientific disposal of non-recyclable waste.
- b) Peri-urban Panchayats shall coordinate with Urban Local Bodies (ULBs) for waste disposal in municipal waste disposal plants.

5. Financial Mechanism

- a) Gram Panchayats shall levy a sanitation fee as per Section 44 of the Himachal Pradesh Panchayati Raj Act, 1994.
- b) Funds from the 15th Finance Commission shall be used for waste collection, transportation, and setting up PWMUs.
- c) PPP and CSR models shall be encouraged for additional funding.

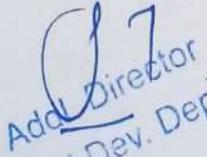
6. Monitoring and Accountability

- a) Block Development Officers (BDOs) shall monitor SWM activities at the Block level.
- b) Deputy Commissioners shall submit quarterly reports to the Department of Rural Development.
- c) Gram Panchayats shall maintain records of waste collection, fees collected, and infrastructure maintenance.
- d) The Law Department shall finalize the Model Bye-Laws for SWM to enable enforcement.

7. Enforcement and Penalties

- a) ₹200 fine for failing to segregate waste at the household or commercial level.
- b) ₹500 fine for burning or illegally dumping waste.
- c) Cancellation of trade licenses for repeated non-compliance by businesses.

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Addl. Director
Rural Dev. Deptt.

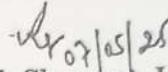

Secretary (Rural Development)
to the Govt. of Himachal Pradesh

8. Capacity Building and Public Awareness

- Regular training programs for PRIs, sanitation workers, and SHGs.
- IEC campaigns through Gram Sabha meetings, posters, and radio messages.
- Promotion of best practices in waste reduction and recycling.

9. Dispute Resolution

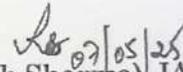
Any disputes arising under this SOP shall be resolved by the Secretary (Rural Development), Government of Himachal Pradesh, whose decision shall be final and binding.


 (Rajesh Sharma), IAS
 Secretary (Rural Dev.) to the
 Government of Himachal Pradesh
 May, 2025.

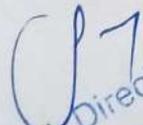
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- All the Divisional commissioners in Himachal Pradesh.
- The Director, Rural Development, Kasumpti, Shimla with a request to circulate amongst all Districts, Blocks, Gram Panchayats and also upload the Scheme on the website.
- The Director, IPR, Himachal Pradesh for wider publicity.
- The Pr. Private Secretary to the Hon'ble RD & PR Minister, Himachal Pradesh for information.
- All the Deputy Commissioners in Himachal Pradesh.
- All District Development Officer, Himachal Pradesh.
- All Block Development Officer, Himachal Pradesh.


 (Rajesh Sharma), IAS
 Secretary (Rural Dev.) to the
 Government of Himachal Pradesh

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 Addl. Director
 Rural Dev. Deptt.

-15-

Government of Himachal Pradesh
Department of Rural Development

No. RD-E04/1/2024-Loose

dated Shimla-2, the

13th May, 2025.CORRIGENDUM

In the Department's Notification of even number dated 7th May, 2025, the following substitutions shall be made:

The words "Section 44", appearing after "in compliance with" in the second line of paragraph 5(a), and after "as authorized under" in the third line of paragraph 6(a), shall be substituted with the words "Section 100" and the words "Section 120", appearing after "licenses as per" in the second line of paragraph 8(b), shall be substituted with the words "Section 13 & 15".

By Order

(Rajesh Sharma), IAS
Secretary (Rural Development) to the
Government of Himachal Pradesh
0177-26210105

Endst. No. As above. Dated Shimla-2, the 13th May, 2025
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10. All District Development Officer, Himachal Pradesh.

(Sarjeev Kumar)
Deputy Secretary (Rural Dev.) to the
Government of Himachal Pradesh
0177-2628502

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Addl. Director
Rural Dev. Deptt.

Government of Himachal Pradesh
Department of Rural Development

No. RD-E04/1/2024-Loose

dated Shimla-2, the

13th May, 2025.

CORRIGENDUM

'Standard Operating Procedures' of 'Solid Waste Management(SWM), Policy' dated 7th May, 2025, the following substitutions shall be made:

The words "Section 44", appearing after "sanitation fee as per" in the first line of paragraph 5(a), shall be substituted with the words "Section 100".

By Order

(Rajesh Sharma), IAS
Secretary (Rural Development) to the
Government of Himachal Pradesh
0177-26210105

Endst. No. As above. Dated Shimla-2, the 13th May, 2025
Copy forwarded to the following for information and necessary action:-

1. The Principal Secretary to Chief Minister for information of Hon'ble CM of H.P
2. The ACS/Pr. Secy/Secy(Finance) to the Govt. of H.P for information.
3. The Accountant General, (A&E), H.P, Shimla-3.
4. All the Divisional Commissioner in Himachal Pradesh.
5. The Director, Rural Development, Kasumpti, Shimla with a request to circulate amongst all Districts, Blocks, Gram Panchayats and also upload the Scheme on the website.
6. The Director, IPR, Himachal Pradesh for wider publicity.
7. The Pr. Private Secretary to the Hon'ble RD&PR Minister, Himachal Pradesh for information.
8. All the Deputy Commissioner in Himachal Pradesh.
9. All District Development Officer, Himachal Pradesh.
10. All District Development Officer, Himachal Pradesh.

(Sarjeev Kumar)
Deputy Secretary (Rural Dev.) to the
Government of Himachal Pradesh
0177-2628502

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Rural Dev. Deptt.

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Annexure R-II

SMG - 96/2022-23 - RDD- SBM-G - 8582 - 8685
 Government of Himachal Pradesh
 Rural Development Department

From

The Mission Director (SBM-G)-cum-Director
 Rural Development Department, Himachal Pradesh

To

- 1) All the District Development Officers,
 In Himachal Pradesh
- 2) All the Block Development Officers,
 In Himachal Pradesh

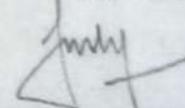
Sub:-

Date Shimla 22/5/2025
 Adoption and Enforcement of Solid Waste Management and
 Sanitation in Rural Areas Model Bye-laws 2025.

Sir/ Madam

Please find enclosed herewith letter No. SMG-96/2022-23-RDD-SBM-G-1224-8453 dated 22-5-2025 and copy of Solid Waste Management and Sanitation in Rural Areas Model Bye-laws 2025 with the direction to send the same to all the Gram Panchayat Pradhans and all Panchayat Secretaries in your District / Block with the direction to adopt the Model Bye-laws under section 188 (2) of H. P. Panchayati Raj Act, within six months of this communication please.

Yours faithfully



Mission Director (SBM-G)-cum-Director
 Rural Development Department
 Himachal Pradesh

Encls. : As above

Attested Copy

Add. Director
 Rural Dev. Deptt.

No. SMG - 96//2022-23 - RDD- SBM-G - 1224-8453
 Government of Himachal Pradesh
 Rural Development Department

From

The Secretary (RD)
 to the Govt. of H.P

To

1. All Gram Panchayats Pradhan in H.P
2. All Panchayat Secretaries in H.P

Dated: Shimla- 9th May 2025

Subject:

Adoption and Enforcement of Solid Waste Management and Sanitation in Rural Areas Model Bye-laws 2025.

Memo

I would like to bring it to your notice that the Hon'ble High Court, H.P in CWP No. 153/2018 titled Poonam Gehlot Vs State of H.P has passed an order dated 12.08.2024 as under:

"The Municipal Solid Waste Management Rules, 2016 which deals with these aspects can possibly be adopted /extended to rural areas also other than municipal areas for effectively dealing with the situation."

Rule 15 (e) of SWM Rules 2016 requires Gram Panchayats shall frame Bye-laws incorporating the provisions of these rules within one year from the date of notification of these rules and ensure timely implementation.

In this regard, the provisions contained in the H.P Panchayati Raj Act, 1994 under Section 188 for making Model bye-laws and its approval as well as adoption which are as under:-

- (1) The State Government may from time to time make model bye-laws for the guidance of Panchayats.
- (2) The State Government may direct Panchayats to adopt model bye-laws after modifying the same to suit to the local conditions.
- (3) If a Panchayat fails to comply with a direction under sub-section (2), within six months, the State Government may apply to such Panchayat such model bye-laws.
- (4) The provisions of sub- section (4): The manner of making bye-laws and their approval shall be such as may be prescribed of section 187 shall apply to the adoptions or application of bye-laws under this section.

Apart from above, a meeting of Multi Member Committee constituted by the Hon'ble High Court, HP in CWP No. 2369/2018 titled as Suleman Vs Union of India & Others was held on 15.10.2024 wherein a decision was taken that the Department will

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prepare a Solid Waste Management and Sanitation in Rural Areas Model Bye-laws and circulate to all Gram Panchayats.

Keeping in view the directions of the Multi Member Committee and orders of Hon'ble High Court as well as provisions of HP Panchayati Raj Act, 1994, the Model Bye-laws have been prepared under section 188 (1) of HP Panchayati Raj Act wherein provisions for user charges and penalties have been included. The funds so collected by the Gram Panchayats from user charges and penalties will be utilized for Operation and Maintenance of Sanitation Assets and to engage manpower for running of sanitation assets established or to be established.

Therefore you are directed to adopt the Model Bye-laws under section 188 (2) of HP Panchayati Raj Act within six months of this communication.

Yours faithfully



Secretary (RD) to the
Government of Himachal Pradesh

Encl.: Model Bye-laws

Endst. No. 8454-8581
Dated- Shimla 22nd May, 2025

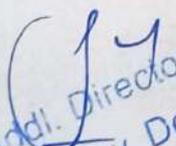
A copy forwarded to:

1. All the Deputy Commissioner in H.P for issuing necessary direction for adoption of Model Bye-laws.
2. All the District Development Officers in HP for necessary compliance.
3. All the District Panchayat Officer in H.P with the direction to compile District level report for the adoption of Model Bye-laws and share the details of GP where the Bye-laws have been adopted in Gram Sabha with the Directorate.
4. All the Block Development Officer in H.P for necessary compliance.



Secretary (RD) to the
Government of Himachal Pradesh

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Rural Dev. Deptt.

Solid Waste Management and Sanitation in Rural Areas Model Bye-Laws 2025

In exercise of the powers conferred under Section 188 of the Himachal Pradesh Panchayati Raj Act, 1994, the Gram Panchayat hereby adopts the following bye-laws for Solid Waste Management and Sanitation within its jurisdiction, to regulate and manage the segregation, collection, processing, and disposal of waste, levy user charges, impose penalties, and ensure cleanliness and public health in its jurisdiction:

Chapter-I: General

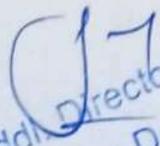
1. Short title and commencement: -

- a) These bye-laws shall be known as the "Solid Waste Management and Sanitation in Rural Areas Bye-Laws 2025".
- b) They shall come into force immediately upon their adoption and publication by the Gram Panchayat.
- c) They shall apply to all areas comprised within the administrative boundaries of the Gram Panchayat.

2. Definition: - In these bye-laws, unless the context otherwise requires:

- a) "Act" means the Himachal Pradesh Panchayati Raj Act, 1994.
- b) "Bulk waste generator" means and includes any individual or institution having average waste generation rate exceeding 100 kg per day. The Gram Panchayat shall be competent to assess the waste generated by any individual/ institution and designate it as a "bulk waste generator".
- c) "Composting" means a controlled process involving microbial decomposition of organic matter.
- d) "Disposal" means the final and safe disposal of the waste in a scientific manner as per the accepted standards/ technologies existing at the relevant time.
- e) "Door to Door garbage collection" means collection of solid waste from doorstep of households, shops, commercial establishments, offices, institutional or any other non-

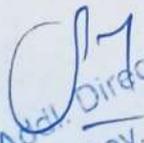
Attested Copy residential premises and includes collection of such waste from entry gate or a


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- designated location on the ground floor in a housing society, multi storied building or apartments, large residential, commercial, or institutional complex or premises.
- f) **"Fine/Penalty"** means penalty imposed on waste generators or operators of waste processing and disposal facilities for non-compliance of the directions contained by these bye- laws.
- g) **"Panchayat"** means the Gram Panchayat of Himachal Pradesh.
- h) **"Non- Biodegradable waste"** means any waste that cannot be degraded by microorganisms into simpler stable compounds.
- i) **"Sanitary waste"** means waste comprising of used diapers, sanitary towels, napkins, tampons, condoms, incontinence sheets and any other similar waste.
- j) **"Segregation"** means sorting and separating storage of various components of solid waste namely biodegradable waste including agriculture and dairy waste, non-biodegradable wastes including recyclable waste, non-recyclable combustible waste, and sanitary waste.
- k) **"User fee/ charge"** means a fee imposed by local body on any entity/waste generator to cover full or part cost of providing solid waste collection, transportation, processing, and disposal services.
- l) **"Waste picker /Collector"** means a person or groups of persons informally engaging in collecting and recovery of reusable and recyclable solid waste from the resource of waste generation the street, bins, material recovery facilities, processing, and waste disposal facilities for sales to recyclers directly or through intermediaries to earn their livelihood.

Words and expressions used herein but not defined, but defined in the Environment (Protection)Act, 1986, the Water (Prevention and Control of Pollution)Act, 1974, Water (Prevention and Control of Pollution) Cess Act, 1977 and the Air (Prevention and Control of Pollution)Act, 1981, Himachal Pradesh Panchayati Raj Act, 1994 and Solid Waste Management Rules, 2016 shall have the same meaning as assigned to them in the respective Acts and Rules.

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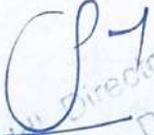

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Chapter-II: Principles of Management of Rural Solid Waste

The Gram Panchayat shall establish an integrated Solid Waste Management (SWM) system with an aim to reduce the amount of waste being disposed, while maximizing resource recovery and efficiency. The preferred waste management system shall focus on the following points, namely:

- I. Reduction and reuse at source:** The most preferred option for Solid Waste Management shall be prevention of waste generation. It will be helpful in reducing the handling, treatment, and disposal costs and specially reduce various environmental impacts such as leachate, air emission and generation of greenhouse gases.
- II. Waste recycling:** Recovery of recyclable material resources through a process of segregation, collection, and re-processing to create new products shall be the next preferred alternative.
- III. Composting:** As far as possible the organic fraction of waste shall be composted at household level itself and used to improve soil health and agricultural production adhering to norms.
- IV. Waste disposal:** Non-recyclable plastic waste shall be sent for co-processing to cement plants.

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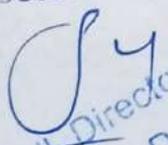

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Chapter-III: - Rural Solid Waste Collection & Transportation

1. Segregation & Primary Storage of Rural Solid waste: -

- a) It will be the primary responsibility of every waste generator in Gram Panchayat area to segregate the waste generated by them in separate streams namely:
 - (i) bio-degradable waste;
 - (ii) sanitary waste; and
 - (iii) other non-biodegradable waste.
- b) Bio-degradable waste shall be composted by the waste generator in its own premises/ land. Gram Panchayat may establish Community Composting facility in areas where such household/ institution level composting is not possible. In such cases, bio-degradable waste may be collected on separate pre-fixed days by the Gram Panchayats. No mixed waste shall be collected by the Gram Panchayats.
- c) Non-biodegradable waste shall be collected door-to-door. Waste generator shall handover the waste to authorized waste pickers or waste collectors designated by Gram Panchayat or agency hired by Gram Panchayat at the frequency as decided by Gram Panchayat on timing fixed by it. Every waste generator shall pay a fixed monthly fee notified by the Gram Panchayat for the services of Door-to-Door garbage collection.
- d) Sanitary waste shall not be mixed with other non-biodegradable waste. Gram Panchayat or the agency hired by it for waste collection shall collect the sanitary waste on separate pre-fixed days to maintain this distinction.
- e) All bulk waste generators shall, within 3 months from the date of adoption of these bye-laws by the Gram Panchayat and in partnership with the Gram Panchayat, ensure segregation of waste at source, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorized waste pickers or the authorized agency. The biodegradable waste shall be processed, treated, and disposed off through composting or bio-methanation

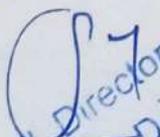
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within the premise of the bulk waste generator. Only the non-biodegradable waste shall be given to the waste collectors or agencies as directed by the Gram Panchayat.

- f) No person shall organize an event or gathering of more than 50 people at any unlicensed place without intimating the Gram Panchayat, at least three working days in advance and such person or the organizer of such event shall ensure segregation of waste at source and handing over of segregated waste to waste collector or agencies as specified by the Gram Panchayat.
- g) Used sanitary waste shall be securely wrapped as and when generated in the pouch provided by the manufacturers or brand owners of these products or in a newspaper or suitable biodegradable wrapping material. Sanitary waste shall be collected and disposed of separately by the Gram Panchayat at the Segregation Shed. All institutes will be responsible for installing incinerator in their premises for treatment of sanitary waste.
- h) Every street vendor in rural area shall keep suitable containers for storage of waste generated during the course of his activity in two separate streams/ bins of biodegradable waste such as food waste, coconut shells, leftover food, vegetables, fruits, etc. and non-biodegradable waste such as cans, wrappers, and shall deposit such waste at waste storage depot or container or vehicle as notified by the Gram Panchayat.
- i) No bio-medical waste, e-waste, hazardous chemicals, and industrial waste shall be mixed with rural solid waste and such waste shall follow the rules specifically separately specified for the purpose.
- j) Every waste generator shall ensure that there is no practice of burning or burying the solid waste generated by him, throwing on streets/ open public spaces outside his premises or in the drain or water bodies.

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k) Littering of waste on streets /open space/ water bodies /drain shall be fined on the spot. On repetition they will be punishable and can be subjected to court proceedings as per law.

l) Time to time awareness generation campaigns should be organized to motivate people. RWA (Resident Welfare Association), Local NGOs, representative of public association and elected local member should be involved in the program to motivate citizens.

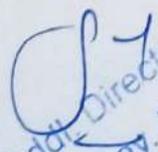
2. Collection of Rural Solid Waste: -

a) Gram Panchayat shall arrange for door-to-door collection of segregated solid waste from all households including slums and informal settlements, commercial, institutional, and other non-residential premises. From multi-storey buildings, large commercial complexes, malls, housing complexes, etc., this may be collected from the entry gate or any other designated location. Primarily, non-biodegradable waste shall be collected door-to-door. For this purpose, Gram Panchayat shall outsource the services of sanitation and waste collection to an agency and no part-time, daily or regular staff shall be hired by the Gram Panchayat itself for this purpose. Gram Panchayat may also take services of local Mahila Mandals/ Self Help Groups instead of a waste collection agency for this purpose.

b) Gram Panchayat shall register waste pickers or informal waste collectors and use these authorized waste-pickers and waste collectors in solid waste management including door to door collection of waste.

c) Gram Panchayat may facilitate Self-Help Groups, provide identity cards and thereafter encourage their integration in solid waste management including door to door collection of waste or recovery of user charges.

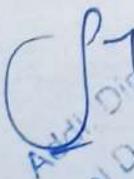
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- d) Time for the door-to-door collection services will have to fixed by the Gram Panchayat. For proper waste collection vehicle such as tricycle, auto tipper used for door-to-door garbage collection should be equipped with Alarm with audible decibel fixed as per the rules and timing should be strictly followed by the sanitation workers.
- e) Separate days shall be fixed for collection of bio-degradable waste (if collected), sanitary waste and other non-biodegradable/ plastic waste.
- f) For proper solid waste management & grievance redressal, Ward members shall be Nodal officials for grievance redressal in their wards.
- g) Under door-to-door services user charge for collection should be formulated on the following criteria:

S No	Category of User	User Charges on monthly basis (INR)
1	Households	50
2	Dhaba, sweet shop, coffee houses, provisional stores	100
3	Shops (Daily needs, cloths, pan shop, tea shop)	100
4	Vegetables & fruits shops (Wholesale)	500
5	Vegetables & fruits shops (Retail)	100
6	Offices (upto 5 rooms)	100
8	Offices (more than 5 rooms)	250
10	Bank	1000
11	Private Schools	200
13	Bakeries (small)	200
14	Bakeries (manufacturing units)	500
15	PG Hostel / Guest House (upto 20 rooms)	200
17	PG Hostel / Guest House (above 20 rooms)	500
19	Dharamshala	200
20	Factories (Manufacturing unit) other than notified in any other category	1000
21	Workshop (Tyre puncture shop)	100
22	Workshop (repair shop)	100
23	Workshop (repair + spare parts shop)	200

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24	Workshop (vehicle showroom, repair + spare parts)	500
25	Workshop (those not touching any NH or SH)	100
26	Restaurants	1000
28	Cinema Hall (Theatre, multiples)	1000
29	Private College/ITI	1000
30	Private Hospital /Nursing Home	1000
33	Private Clinics	150
34	Clinics with medicines shops	200
35	Chemist shop	100
36	Laboratory	100
37	Banquet Hall/ Hotel	1000
38	Special Hotels more than 50 Rooms	2000
39	Vehicle on demand for Dumper	1000
40	Big Malls	2000 per floor
41	Meat Shops (other than subscribed with chicken waste collection vehicle)	200
42	Confectionary + Veg Shop	100
43	Scrap Dealers	500
44	Street Vendor	100
45	Any other establishment(s) not mentioned	To be decided by GP above

h) Gram Panchayat may modify the user charges from time to time as per local conditions and administrative requirement, with due resolution of the Gram Panchayat.

i) Gram Panchayat shall survey and keep record of all establishment/ different category of users within its jurisdiction. It can use the services of its own staff or an agency or Mahila Mandals/ SHGs/ Yuvak Mandals for collection of user charges subject to the following:

- a. Gram Panchayat shall open a separate bank account for receipt of sanitation user charges. The penalties levied by Gram Panchayat under Chapter- VII shall also be deposited in the same bank account.

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- b. Gram Panchayat shall issue pre-printed and serially numbered receipt books to the authorized personnel.
 - c. Authorized personnel shall issue receipt to the user upon collection of the user charges.
 - d. The collected user charges shall be deposited by the authorized personnel with the Panchayat Secretary on daily basis and credited to the bank account the very next day.
 - e. Incentive to the authorized personnel shall be paid out of such funds at end of the month and he/ she shall not retain the collected amount or any portion of it with himself/herself without first depositing it with the Gram Panchayat.
- j) User charges and penalties collected by the Gram Panchayat shall only be used for the purpose of providing solid waste management and sanitation services in the Panchayat.

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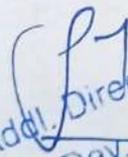

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Chapter-IV: - Rural Solid Waste Processing & Disposal

1. Rural Solid Waste Processing: -

- a) Gram Panchayat shall promote composting of biodegradable waste at the household/ institution level itself. Ordinarily, bio-degradable waste shall not be collected and mixed with the other solid waste.
- b) Wherever required, Gram Panchayat may construct and set up Community Composting Pits/ Units for processing of bio-degradable waste collected from non-household units.
- c) Separate days shall be fixed for collection of bio-degradable waste (if collected), sanitary waste and other non-biodegradable/ plastic waste.
- d) Gram Panchayat shall set up one or more Segregation Shed with sufficient storage for processing of non-biodegradable waste. Non-biodegradable waste collected shall be taken to the Segregation Shed by the waste collector/ agency authorized by Gram Panchayat and segregated into recyclable and non-recyclable waste. The recyclable waste shall be handed over the recyclers/ recycling agencies. Sanitary waste shall be disposed off as per norms of Pollution Control Board.
- e) The non-recyclable plastic waste collected from households/ establishments shall be transported to the Plastic Waste Management Units set up at Block level from where it shall be sent to nearby cement factories for co-processing.

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Chapter – V:- Monitoring by Ward Committee

Constitution of Ward Sanitation Committee: A Ward Sanitation Committee shall be constituted in each ward of the Gram Panchayat. The Ward Sanitation Committee shall have 5 members. The members of the WSC would comprise of ward member, panchayat secretary, representatives of Residential Welfare Associations(RWAs)of the ward, representatives of Community Based Organizations (SHGs, Yuvak Mandaletc), local leaders, senior citizens etc. The Ward Sanitation Committee shall oversee the sanitation activity in the ward.

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Chapter – VI:- Stakeholder's Responsibilities

1. Responsibilities of various stakeholders: -

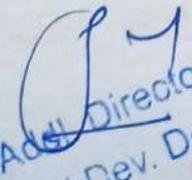
1.1. Responsibilities of Waste Generators:

- a) No waste generator shall throw the waste generated by him on the street, open spaces, drain or water bodies.
- b) No person shall let the dirty water, mud, urine, polluted water from their own house, organization, commercial establishments to accumulate in their own compound nor let it flow on common streets in a way that the environment gets polluted by foul smell or poses a threat to public health.
- c) Each person shall wrap securely used sanitary waste as and when generated in a newspaper or suitable bio-degradable wrapping material and shall not mix it with other non-biodegradable waste.
- d) All citizens shall have the responsibility to dispose of the recyclable waste generated in their complexes to the waste pickers authorized by the Gram Panchayat or waste collector or containers of the Gram Panchayat and not put it on the road under any circumstances.
- e) All waste generators shall pay user fees as specified in these bye-laws.
- f) No waste generator shall throw, burn or bury the solid waste generated by him on streets, open public spaces outside his premises or in the drain or water bodies,
- g) No dead animals or their remains to be thrown in any public places or any such place, which create any kind of pollution.
- h) If any person is found violating activities prohibited for doing, fine charges shall be collected from the offender by the Gram Panchayat.

1.2 Responsibility of Ward Sanitation Committee:

- a) The Ward Sanitation Committee shall oversee the sanitation and cleanliness activities in ward.
- b) The Ward Sanitation Committee shall act as a grievance redressal point on sanitation issues at ward level.
- c) The Ward Sanitation Committee shall have the power to impose fine on any offender. The Ward Sanitation Committee will give warning to any offenders of these bye- laws.

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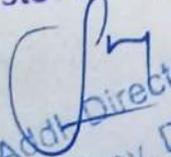
After two warning by the Ward Sanitation Committee or the Gram Panchayat, penalty shall be collected from the violator as per the provisions of these bye-laws. Appeal from decision of Ward Sanitation Committee shall lie with the Gram Panchayat.

- d) The Ward Sanitation Committee will promote home composting of biodegradable waste.

1.3 Responsibility of Gram Panchayat:

- a) The Gram Panchayat shall within its territorial area, be responsible for ensuring door to door collection of rural solid waste and transport it to the final disposal point in closed vehicles for which the Gram Panchayat may engage private parties on contract or outsource mode. No part-time, daily, or regular staff shall be hired by the Gram Panchayat itself for this purpose. Gram Panchayat may also take services of local Mahila Mandals/ Self Help Groups instead of a waste collection agency for this purpose.
- b) The Gram Panchayat shall construct one or more Segregation Shed and Community Compost Pits for optimum utilization of various components of solid waste adopting suitable technology including the technologies and the guidelines issued by the Pollution Control Board.
- c) The Gram Panchayat shall create awareness through Information, Education and communication(IEC) campaign and educate the waste generators on minimal generation of waste, not to litter, re-use the waste to the extent possible, practice segregation of wet bio-degradable waste, dry recyclable and combustible waste at source, wrap securely used sanitary waste as and when generated in a newspaper or suitable bio-degradable wrapping material and place the same in the domestic bin meant for non-biodegradable waste, storage of segregated waste at source and payment of monthly user fee.
- d) The Gram Panchayat shall make efforts to register informal sector workers in waste management (rag pickers)and integrate them into the formal system of Solid Waste

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- e) The Gram Panchayat shall ensure that the waste collection agency or operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate footwear and masks to all workers handling solid waste and the same are used by the workforce.
- f) The Gram Panchayat shall ensure occupational safety of the Gram Panchayat's own staff and staff of outsource agency involved in collection, transport and handling waste by providing appropriate and adequate personal protective equipment.
- g) In case of an accident at any solid waste processing facility, the officer- in- charge of the facility shall report to the Gram Panchayat immediately which shall review and issue instructions if any, to the in- charge of the facility.
- h) The Gram Panchayat shall identify locations that are repeatedly littered or misused for waste dumping, commonly referred to as sanitation hotspots. The Panchayat shall:
- designate responsibility for periodic cleaning and monitoring of such hotspots to sanitation staff or agency;
 - erect visible signboards prohibiting dumping;
 - take suitable enforcement action under these bye-laws in case of recurring violations.
- i) A consolidated annual report shall be prepared in the format prescribed by the Himachal Pradesh State Pollution Control Board by the Panchayat Secretary and submitted through the Block Development Officer to the District Panchayat Officer and concerned State authorities in compliance with Rule 24 of the SWM Rules, 2016.

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Chapter – VII:- Prosecution & Penalties

1. Prosecution:-

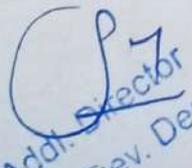
- I. Prosecution can be initiated on violation of above said bye-laws under Himachal Pradesh Panchayati Raj Act, 1994 and Environmental Protection Act, 1986. Prosecution can be initiated against the official / workers responsible for implementing mandated sanitation services under these bye-laws if they are not performing their task or delaying their responsibility to implement the services.
- II. Whosoever contravenes the provision of above said bye-laws shall be in addition to the penalties already mentioned under any Act/ rules/ laws/ bye – laws for time being in force would be liable for disconnection of water supply, electricity and other civic amenities and the Secretaries of the GPs may request the competent authorities to withdraw any other services if granted in favour of Institution/ Commercial Establishment/ person committing the offence.

2. Penalties: -

On the violation of above said bye-laws fixed penalties are as below:

S No.	Offence	Penalties
1	Littering by people of residential colony	Rs 100 per day
2	Open dumping by shopkeepers	Rs 200 per day
3	Littering/ open dumping by restaurants owners	Rs 200 per day
4	Littering/ open dumping by Hotel Owners	Rs 200 per day
5	Littering/ open dumping by Industries	Rs 1000 per day
6	Littering/ open dumping by Street Vendor like fast-food, chat, ice-cream, juice corner etc.	Rs 100 per day
7	Open defecation/urination in public place	Rs 200 per offence committed
8	Disposal of wastewater/ sewer from house in non-authorized place	Rs 100 per day
9	Spilling of Oil, Dust, water & other material by roadside Motor, Bike, Bicycle repair mechanics	Rs 100 per day
10	Disposal of Skin, feather, blood, flesh or any other material of animal(s) by shopkeeper	Rs 100 per day
11	Littering or disposal of waste in front of Marriage Hall, community place, exhibition hall, Mela ground	Rs 500 per day
12	Non-Segregation of waste at source	

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i	Residents	Rs 100 for first offence and Rs 200 for second & subsequent offences in a month.
ii	Commercial/ Institutional establishments	Rs 200 for first offence and Rs 500 for second & subsequent offences in a month.
iii	Industrial Establishment	Rs 500 for first offence and Rs 1000 for second & subsequent offences in a month.

The penalties recovered from violators shall be deposited in the same separate bank account where user charges have to be deposited by Gram Panchayat as per Chapter- III above. Gram Panchayat may increase the penalties from time to time as per local conditions and administrative requirement, with due resolution of the Gram Panchayat. Gram Panchayat shall display the penalties at prominent places for awareness of the general public.

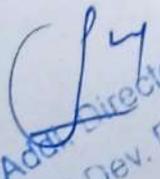
3. Appeal

Any person aggrieved by the decision or imposition of penalty by the Ward Sanitation Committee or the Gram Panchayat may file an appeal before the Block Development Officer (BDO) having jurisdiction over the Gram Panchayat within 15 days of such decision. The BDO shall dispose of the appeal within 30 days, after giving the concerned parties an opportunity to be heard.

4. Repeal / Contradict: -

- I. Once these bye-laws come into force, any other rules, bye-laws, policy with regard to this matter adopted by any Gram Panchayats will be considered as superseded.
- II. Any work done or scheme implemented under any previous rules shall be valid unless until it is completely contrary to the action to be taken under these bye-laws.

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Suleman & others Vs. Union of India & others a/w connected matters.

CWP No. 2369 of 2018 a/w CWPIIL No.269 of 2017, CWP Nos.1074 of 2019, 3334 of 2021, CWPIIL Nos. 32, 42 & 56 of 2021, CWP No.3511 of 2022, CWPIIL No.4 of 2022, CWPIIL No.60/2024, CWP No.819/2024 & CWP No.278 of 2025.

13.05.2025 Present: Mr. Deven Khanna, Advocate, for the petitioners in CWP No.2369 of 2018.

Mr. Bhuvnesh Sharma, Senior Advocate with Ms.Vishali Lakhnupal, Advocate, for the petitioner in CWP No.1074 of 2019.

Mr. Suneet Goel, Sr. Advocate as Amicus Curiae with Mr. Vishwas Kaushal, for the petitioner in CWPIIL No.263 of 2017.

Mr. K.B. Khajuria, Advocate, for the petitioner in CWP No.3511 of 2022 and for respondent No.6/ Central Pollution Control Board in CWP No.2369 of 2018.

Mr. Saurav Rattan, Advocate, for the petitioner in CWP No.3334 of 2021.

Court on its own motion in CWPIIL Nos. 32,42 & 56 of 2021.

Mr. Anup Rattan, Advocate General with Mr.Ramakant Sharma, Mr. Navlesh Verma, Ms.Sharimila Patial, Mr. Sushant Kaprate, Additional Advocates General and Mr. Raj Negi, Deputy Advocate General, for the respondents-State.

Mr. Balram Sharma, Deputy Solicitor General of India with Mr. Rajeev Sharma, Advocate, for respondent- UOI and respondent No.4-Central Pollution Control Board in CWP No.3511 of 2022.

Ms. Sulochana Rana, Advocate, for respondent No.3 in CWP No. 819 of 2024.

Mr. Neeraj Gupta, Senior Advocate with Mr. Pranjal Munjal, Advocate for the petitioner in CWP No. 278 of 2025 and for respondent No.8 in CWP No.2369/2018 and CWP No.1074/2019.

Mr. Virbahadur Verma, Advocate, for respondent No.2 in CWPIIL No. 32 of 2021 and for respondent No.1 in CWPIIL No. 42 of 2021 and for respondent No.3 in CWP No. 3511 of 2022.

Mr. Tara Singh Chauhan, Senior Advocate with Mr.Surya Chauhan, Advocate for the respondent/HP Pollution Control Board in CWP No.2369/2018 and CWP No.1074/2019.

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Mr. Rohan Thakur, Advocate vice Mr. Maan Singh, Advocate, for respondent No.1 in CWP No. 10480 of 2024.

Ms. Oshin Anand Chauhan, Advocate for respondent No.2 in CWP No. 10480 of 2024.

Mr. Abhishek, Advocate vice Ms. Garima Kuthiala, Advocate, for respondent No.10 in CWPIIL No.269/2017.

Mr. Paras Dhaulta, Advocate, for respondent No.5 in CWPIIL No.4/2022.

Mr. Lovneesh Kanwar, Senior Advocate with Mr. Tek Chand, Advocate for respondent-M.C.Sarkaghat in CWP No.2369 of 2018.

Mr. Adarsh K. Vashista, Advocate for M.Cs Chamba, Baddi, Nalagarh, Nagrota Bagwan, Jwalamukhi, Nurpur, Shahpur and Jawali.

Mr. Rajesh Kashyap, Advocate, for MC Sundernagar.

Mr. Mukul Sood, Advocate, for MCs Shimla and Dharamshala.

Mr. Ajay Chauhan, Advocate, for MC Palampur in CWP No.2369 of 2018.

Mr. Lalit K. Sharma, Advocate, for respondent No.4 in CWPIIL No.32/2021.

Mr. H.S. Rangra, Advocate, for MC Mandi in CWP No.2369/2018.

Mr. Varun Singh, Advocate, for M/s Shakti Plastic Pvt. Ltd.

Mr. Umesh Kanwar, Advocate, for M/s EPR Plastic Pvt. Ltd.

Mr. Udit Shaurya Kaushik, Advocate, for the proposed applicants in CMP NO. 15743 of 2024.

Ms. Sheetal Kaul, Advocate, for the respondent No.5 in CWPIIL No. 60 of 2024.

Affidavit on behalf of the Chief Secretary to the Government of Himachal Pradesh is stated to have been filed in the Registry today (i.e. 13.05.2025). Let the same be placed on record.

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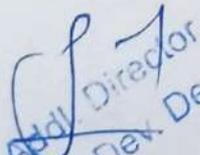
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2. Having heard the matter for a considerable time, we deem it appropriate to issue the following directions:-

- (i) The respondent-State is directed to frame necessary bye-laws under Sections 13 (k) & 100 of the HP Panchayati Raj Act, 1994. The State is free to take assistance of the Model bye-laws submitted by Mr. Deven Khanna, learned counsel for the petitioner in CWP No.2369 of 2018 and those made by the *Swachh Bharat Gramin* and also the bye-laws prepared by the Rural Development Department (RDD). These bye-laws shall amongst other provide for the system of collection, user charges and also provide for how the expenses that will be covered to ensure the sustainability of the Solid Waste Management Service.
- (ii) The respondent-State while forwarding the cases for setting-up Material Recovery Facilities(MRFs) or Plastic Waste Management Units (PWMUs) or Solid Waste Management Facilities (SWMF), for which forest clearance is required under the Forest Right Act, 2006, shall henceforth submit the cases on the lines as was done by the MRFs at Keylong (Gram Panchayat Tanti-Jagmurti).
- (iii) In the meanwhile, the respondent-State shall identify waste "hot-spots" where waste management facilities can be setup. For this purpose, appropriate instructions be issued to the Panchayats, who in turn, shall identify such hot-spots for further consideration of converting these areas into locations for MRFs or segregation sheds, especially where the other land options

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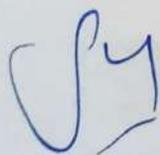

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are unavailable and where land is not at all available at the convenient site. The Panchayats can move a proposal for allotting these hot-spots for MRFs or segregation sheds after the hot-spots have been cleared of legacy waste.

- (iv) The Rural Development Department (RDD), Department of Environment, Science and Technology (DEST), Urban Development Department (UDD) & Department of Panchayati Raj are directed to ensure that all the Panchayats, Nagar Panchayats, Urban Local Bodies (ULBs) be provided challan-books so as to enable them to issue *challans* (penalty tickets) under the Himachal Pradesh Non-Bio-degradable Garbage (Control) Act, 1995. The respondents are further directed to ensure that adequate training is given to these officers/officials, more particularly, their Panchayat Secretaries, Executive Officers, Municipal Officers, etc. on the mode and manner in which these *challans* have to be executed. Such training shall be provided online by the HP State Pollution Control Board before the next date of hearing and compliance affidavit to this effect shall be duly filed.
- (v) All Hotels, Restaurants, Home-stays, Bed and Breakfast (B&Bs), *Dhabas* etc. are directed to display notices/posts at the reception areas indicating fine up-to Rs.5,000/- for improper waste disposal and littering and in addition, shall also ensure that wet and dry dustbins are provided at the receptions/counters or at the other convenient places. The Shop/Sanitary Officers/

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Rural Dev. Deptt.

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officer in-charge, as the case may be, shall ensure due compliance of this order.

- (vi). The Jal Shakti Department is directed to respond to the communication sent by the Secretary (RD) to the Government of Himachal Pradesh on 07.05.2025.
- (vii). The respondent-State is further directed to consider the proposal of the demand of respondent No.8 i.e. JBR Environment Technology Baddi Private Ltd., for grant of additional land in view of the increased demand.
- (viii). We are informed at the bar that the Municipal Corporation, Shimla has submitted a plan for levy of green tax within the municipal area of Shimla and such plan is pending with the State Government. We direct the State Government to take a decision on the proposal so submitted and report compliance on the next date of hearing.

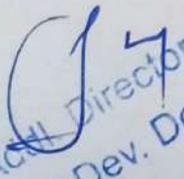
List on **21.06.2025**.

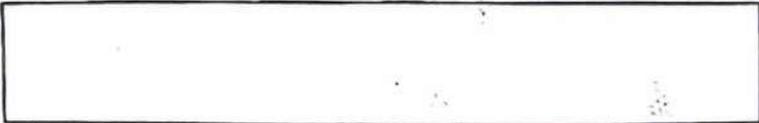
(Tarlok Singh Chauhan)
Judge

(Sushil Kukreja)
Judge

May 13, 2025
(VH)

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Atty. Director
Rural Dev. Deptt.



IN THE COURT OF Hon'ble National Green Tribunal, Principal Bench, New Delhi

Suit/Appeal No. Original Application No. 294/2025 JURISDICTION OF 201

In re:-

News item titled "From Paradise to Landfill"
Plaintiff(s) or Petitioner(s)
Appellant(s) Complainant(s)

VERSUS

Defendant (s)/ Respondent(s) / Accused Know all to whom these Present shall come that I/we Respondent No. 2 - C Paulrasu, Secretary Rural Development Department, to the Govt. of H.P.
The above named RESPONDENT NO. 2

Anil Jaryal, A.O. - D/3587/16, Ch. 109, Block-03, Delhi High Court. do hereby appoint

(herein after called the advocate/s) to be my / our Advocate in the above - noted case authorize him:-

To act, appear and plead in the above-noted case in this court or in any other court in which the same may be tried or heard and also in the appellate court including High Court subject to payment of fees separately for each court by me/us.

To sign file, verify and present pleadings, appeals cross-objection or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences of disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution on the said case.

To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/we undersigned to hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purpose.

And I/we undertake that I/We or my/our duly authorized agent would appear in court on all hearings and will inform the Advocate for a appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he shall receive and retain for himself.

And I/we undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settle is only for the above case and above Court. I/We hereby agree that once the fee is paid, I /We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 13-01-2026 Day of 2026 Accepted subject to the terms of the fees.

Advocate
Anil Jaryal
A.O. - D/3587/16

I Identify the Signature/Thumb Impression

Client
Secretary (RD & PR) to the Govt. of H.P. Shimla-171002
Client
Secretary (RD & PR) to the Govt. of H.P. Shimla-171002

