

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

**M.A. No. 79/2023 in Original Application No. 758/2022**

IN THE MATTER OF:

Paldan Phuchang

APPLICANT

VERSUS

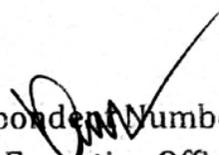
State of H.P. AND THREE OTHERS

RESPONDENTS

**Compliance/Status Report on behalf of respondent number 4 I.E  
Executive officer Municipal Council Manali**

Dated 19-01-2024

Place: - Manali

  
Respondent Number 4  
Executive Officer  
Municipal Council  
Manali (H.P)

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Dated on this 19<sup>th</sup> Day of January 2024 at Manali

  
Respondent no 4

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
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**M.A. No. 79/2023 in Original Application No. 758/2022**

**IN THE MATTER OF:**

Paldan Phuchang

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State of H.P. AND THREE OTHERS

RESPONDENTS

**Compliance/Status Report on behalf of respondent number 4 I.E  
Executive officer Municipal Council Manali**

Respected Sir,

In compliance of the order dated 18.12.2023 & 14.09.2023 of this Hon'ble Tribunal respondent number 4 submits the present compliance/status report on the following facts as ordered: -

**Waste Quantification:**

The Municipal Council has conducted a thorough analysis of waste generation, processing, and the end destination of rejects/residue components like RDF, biodegradable, etc.

Sr. No	Month	Mc Manali(Tons)	TDC Council (Tons)	Mc Kullu (Tons)	Np Bhunter (Tons)	Panchayats (Tons)	Private Hotel (Tons)	Total (Tons)	RDF(Tons) Dispatched to cement plants
1	Jan-23	408	336	147	73	105	212	1282	119
2	Feb-23	303	273	156	77	135	161	1104	284
3	Mar-23	371	360	209	94	181	199	1413	1263
4	Apr-23	446	386	180	106	160	216	1495	1530
5	May-23	511	463	240	115	190	305	1824	683
6	Jun-23	611	494	242	94	257	330	2029	1032
7	Jul-23	161	150	70	22	84	90	577	368
8	Aug-23	400	363	462	84	111	37	1457	359
9	Sep-23	219	238	215	86	107	50	916	686
10	Oct-23	360	288	384	117	146	41	1338	313
11	Nov-23	373	421	463	116	143	25	1540	84
12	Dec-23	475	421	220	89	138	45	1389	965
<b>Total</b>		<b>4639</b>	<b>4191</b>	<b>2989</b>	<b>1075</b>	<b>1758</b>	<b>1711</b>	<b>16363</b>	<b>7386</b>
<b>% Contribution</b>		<b>29</b>	<b>26</b>	<b>18</b>	<b>7</b>	<b>11</b>	<b>10</b>	<b>100</b>	<b>45</b>

1. Total 16363 MT of Municipal Solid Waste (MSW) has been received in last year (January 2023 to December 2023) from which the 7386 MT (45%) of Refuse Derived fuel has been sent to different plant of Himachal Pradesh, and the rest 15% of rejects/inert material (2500 MT) is lying out at site due to non-availability of scientific landfill site in the area.
2. Approximately 5-7 % of recyclable (Glass, Plastic, Rubber, Iron, and other recyclable) material has been recovered from the MSW (1145 MT) and sold out to the scrap dealers.
3. Approximately 33% of MSW (5399 MT) included Bio-degradable material is still lying at site due to non-processing. We have no space for the scientific processing of Bio degradable waste.

However, the contribution of Municipal council Manali is only 28% (4639 MT) in the entire incoming MSW, which is coming to Municipal Solid Waste Management (MSWM) site at Rangri, Manali. The rest MSW is coming from the entire district of Kullu, and sometimes from Keylong, District Lahaul & Spiti also.

It is submitted that the Pirdi MSWM site of Municipal Council Kullu has been shut down by the orders of Hon'ble NGT due to some local residents' issues in October 2018, and after that the district administration has diverted the Municipal Council Kullu's, Nagar Panchayat Bhunter's and other area's MSW to MSWM site at Rangri on a temporary basis, until the new site is identified by the District Administration. After completion of more than four years the site has still not been identified by the district administration and the MSW of entire district is being sent to the Rangri site, Manali.

It is submitted that currently the fresh waste has been handled by M/s Nextgen Chemicals, who commenced their operation on Feb 25, 2020, and the Municipal Council Manali has signed a MOU with company on 08.09.2017 for the handling of MSW for Twenty-five years, and the company will generate energy from waste, and the company has commissioned the first phase of project on Feb 25, 2020, i.e., production of Refuse Derive Fuel from MSW.

The second phase of project i.e., installation of incinerator and turbine is still pending due to two years of Covid -19 pandemic and after that Low calorific value (1500-1800 KCAL) of produced RDF (Required 3500 KCAL).

Currently the company has produced RDF from fresh waste and is sending to cement plants for end disposal. Till date Nextgen Chemicals has sent over 15000 MT of RDF to cement plants for end disposal.

### **Quantum of Legacy Waste**

It is submitted that the Urban Development Department Shimla has awarded a tender in July 2021 to M/s Rekart Innovation Pvt Ltd for the Bio remediation and Bio-mining of legacy waste for a quantity of 40,000 MT. Till date the company has processed 14600 MT of legacy waste and has sent 445.515 MT of Refused Derived Fuel to Thermal Plants for end disposal. (Annexure.1 Attached)

**Compliance Measures:**

The Municipal Council has taken immediate corrective measures to address the violations and lapses observed during the inspections.

1. Processing of Municipal Solid waste:
  - A. Dry Waste is being currently processed in to Refused Derived Fuel and sent to cement plants for end disposal. (Annexure.2 attached)
  - B. Wet Waste: Presently Municipal Council Manali generates approximately three to four tons of wet waste. MC Manali has six composting pits at MSWM site, Rangri. Due to extreme cold weather conditions at Manali, it takes longer than usual to convert wet waste into compost. To overcome this problem, Municipal council is purchasing Organic Waste Converter for processing of wet waste. A letter has been sent to DC Kullu and Director of Urban Development for approval of funds. Regional officer, HPPCB, Kullu has also been asked for approved technology for wet waste processing. (Annexure.3 & 7 attached)
  - C. Mixed Waste- The MSW is coming from entire district of Kullu, i.e., Tourism development Council, Municipal Council Kullu, Nagar Panchayat Bhunter and Rural areas of district panchayats. The Nextgen Chemicals has been instructed not to accept MIXED waste.
  - D. Inert/Rejects- Request has been sent to district administration for availability of land for scientific landfill site. (Annexure.4 attached)
2. Bad Odor - The spray for arresting the bad odor has been used at site on daily basis.

**Action Against Service Provider:**

The Municipal Council has initiated actions against the service provider for any non-compliance with the prescribed norms.

1. A notice has been issued to M/s Nextgen Chemicals for processing of 100% fresh waste, and arrest of bad odor in the area. (Annexure.5 Attached).

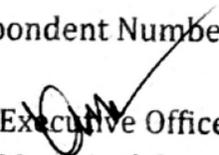
2. For the processing of Organic waste, Municipal council is purchasing Organic Waste Converter. A letter has been sent to Deputy Commissioner, Kullu and Director of Urban Development for approval of funds. (Annexure.3 attached)
3. Request has been sent to district administration for availability of space for designing of scientific land fill site for dumping of rejects/inert. (Annexure.4 Attached).
4. A notice has been issued to M/s Rekart Innovation Pvt. Ltd. for speedy processing for clearance of Legacy waste, and informed for fine as applicable as per the tender's terms and conditions. (Annexure.6 Attached)

Further, it is submitted that the status report of the present respondent in compliance to the orders dated 14.09.2023 was prepared and was e-mailed on 05.12.2023 but inadvertently it was sent on the wrong email address due to typing mistake. The status report was sent on e-mail id [judicial.ngt@gov.in](mailto:judicial.ngt@gov.in) instead of [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) . This mistake was unintentional for which we sincerely apologies. Email sent is annexed as annexure A-8.

Thus, the present status report is submitted for your kind perusal.

Dated 19-01-2024  
Place Manali

Respondent Number 4

  
Executive Officer  
Municipal Council  
Manali (H.P)

# Rekart

Annexure - 1

W: [www.rekart.co.in](http://www.rekart.co.in) | E: [team@rekart.co.in](mailto:team@rekart.co.in) | Missed Call: 80108 11211

Ref:- RIPL/MNL/LW/02/01-24

Date:- 19-01-2024

To  
Executive Officer,  
Municipal Council Manali  
Manali ( H.P.)

**Subject :-** Information Sharing of work Progress with Disposal Details

Dear Sir

On the subject Cited above it is informed you that the work of progress of Legacy waste `14600 MT processed against 40000 MT rest quantity of work order 25400 MT we will be process in 5-6 Month ( Time Period depend on the weather situation it will increase or decrease )

### Mined & Processed , Disposal Data

All Values In Ton					
Quantity of Legacy Waste	Remediated Legacy Waste	Bi-Soil	RDF	C&D	Others (As like soil, and metals, paper etc.)
40000.000	14600.000	10950.000	1299.400	569.400	146.000

1. **RDF Disposed in the Cement Plant 445.515 MT**
2. Bi-soil and C&D Utilized in the low lying area
3. Rest moisture content found on the material .

Thanking You.

For Rekart Innovations Pvt. Ltd.

  
Authorised Signatory.

For, Rekart Innovations Pvt Ltd

Page 1 of 1

### REKART INNOVATIONS (P) Ltd.

Corporate Office: 2907, Sector-45, Gurugram - 122003

Registered Office: 1K/72, NIT Faridabad, Haryana - 121001

PAN No.- AAHCR3634H | GST No.- 06AAHCR3634H1ZE | CIN No.- U93000HR2015PTC055848 | MSME No.- HR03100016948

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# NEXTGEN CHEMICALS

To

27<sup>th</sup> January, 2024

The Executive Officer,

Municipal Council Manali,

District-Kullu-HP.

Subject: Quantum of fresh incoming MSW and processing and disposal status of MSW/RDF.

Dear Sir,

With reference to the subject and your visit to the Waste-to-Energy (WTE) plant on 15/01/2024, We are providing the status report on MSW/RDF disposal and the incoming waste statistics.

Sr. No	Month	TDC Council (Tons)	Mc Kullu (Tons)	Np Bhunter (Tons)	Panchayats (Tons)	Private Hotel (Tons)	Total (Tons)	
1	Jan-23	408	336	147	73	105	212	1282
2	Feb-23	303	273	156	77	135	161	1104
3	Mar-23	371	360	209	94	181	199	1413
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5	May-23	511	463	240	115	190	305	1824
6	Jun-23	611	494	242	94	257	330	2029
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8	Aug-23	400	363	462	84	111	37	1457
9	Sep-23	219	238	215	86	107	50	918
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11	Nov-23	373	421	463	116	143	25	1540
12	Dec-23	475	421	220	89	138	45	1389
<b>Total</b>		<b>4191</b>	<b>2989</b>	<b>1075</b>	<b>1758</b>	<b>1711</b>		
% Contributions	28	28	18	7	11	10		100

Currently, we are receiving Municipal Solid Waste (MSW) from the entire district of Kullu and sporadically from SADA Keylong in districts Lahoul and Spiti. The following data represents the quantity, quality, and statistics of daily incoming fresh waste:

MSW/RDF Processing and Disposal:

Sr. No	Month	Dry (Tons)	Wet (Tons)	Mix (Tons)	Total (Tons)	RDF (Tons)	Balance MSW at Plant (Tons)
1	Jan-23	343	0	941	1284	119	1165
2	Feb-23	322	0	785	1106	284	823
3	Mar-23	419	3	988	1410	1263	146
4	Apr-23	448	16	1032	1497	1530	-33
5	May-23	535	18	1270	1824	683	1140
6	Jun-23	522	56	1450	2029	1032	998
7	Jul-23	122	15	441	577	368	210
8	Aug-23	414	2	1041	1457	359	1098
9	Sep-23	347	15	553	916	686	230
10	Oct-23	490	36	811	1338	313	1024
11	Nov-23	437	32	1070	1540	84	1456
12	Dec-23	318	52	1016	1386	655	721
<b>TOTAL</b>		<b>4719</b>	<b>245</b>	<b>11399</b>	<b>16363</b>	<b>7389</b>	<b>6978</b>

WTE PLANT, RANGRI-MANALI-HP-175131, EMAIL - [WTEMANALI@YAHOO.COM](mailto:WTEMANALI@YAHOO.COM), MOBILE- 9817250005

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# NEXTGEN CHEMICALS

As of now, we are efficiently processing the daily incoming fresh waste into Refuse-Derived Fuel (RDF) and forwarding it to cement industries for final disposal. Since the commencement of our operations on February 25, 2020, ~~we have successfully sent over [REDACTED]~~ to ~~cement industries for end disposal.~~

We believe these figures demonstrate our commitment to efficient waste management and environmentally responsible disposal practices. Our team is dedicated to maintaining these standards and continuously improving our operations.

If there are any additional details or specific information you require, please do not hesitate to contact us. We appreciate your ongoing support and collaboration in our efforts to manage waste effectively in the region.

Thank you for your attention to this matter,

For Nextgen Chemicals

Authorized Signatory

संख्या:एम0सी0एम0/कूड़ा-कॉर्ट/2023- 2344  
कार्यालय, नगरपालिका परिषद्, मनाली, जिला कुल्लू हिमाचल प्रदेश ।

सेवा में,

निदेशक,  
शहरी विकास,  
पालिका भवन हिमाचल प्रदेश-171002

दिनांक, मनाली 20 दिसम्बर, 2023

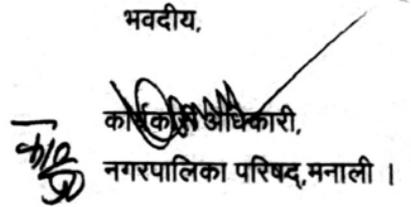
विषय:- कूड़ा संयन्त्र रॉगड़ी, मनाली में वैट वेस्ट मशीन स्थापित करने वारे स्वीकृति ।

महोदय,

विषय उपरोक्त के सन्दर्भ में, आपके सूचनार्थ प्रस्तुत है कि पालिका द्वारा कूड़ा संयन्त्र रॉगड़ी, मनाली में गीले कूड़े को निष्पादित करने के लिए मशीन स्थापित/खरीद किए जाने हेतु जिसमें आधी सहायता अनुदान राशि पर्यटन विकास समिति, मनाली से स्वीकृत हुई है, तथा आधी राशि पालिका टाईड ग्रांट शीर्ष से खर्च करना चाहती है, ताकि कूड़ा संयन्त्र में वैट वेस्ट मशीन खरीद करके स्थापित किए जाने से कूड़ा संयन्त्र में आने वाले गीले कचरे का निष्पादन शिघ्रता से किया जा सके ।

अतः आपसे अनुरोध है कि पालिका को 50 प्रतिशत राशि टाईड ग्रांट शीर्ष से खर्च किए जाने हेतु स्वीकृति प्रदान किए जाने की कृपा करें ।

भवदीय,

  
कार्यकारी अधिकारी,  
नगरपालिका परिषद्, मनाली ।

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संख्या:एम0सी0एम0/कूड़ा-ककट/2023- 2345  
कार्यालय,नगरपालिका परिषद,मनाली,जिला कुल्लू हिमाचल प्रदेश ।  
सेवा में,

उपायुक्त महोदय,  
कुल्लू ।

दिनांक,मनाली 20 दिसम्बर,2023

विषय:- रॉगड़ी कूड़ा संयन्त्र में गीले कूड़े को निष्पादन करने वारे ।  
महोदय,

विषय उपरोक्त के सन्दर्भ में,आपके सूचनार्थ प्रस्तुत है कि आप द्वारा दिनांक 19-12-2023 को सायं 4-00 बजे आपके कार्यालय कक्ष में आयोजित बैठक में आदेश दिया गया है कि गीले कूड़े को निष्पादित करने के लिए 2 टन मशीन की लागत निदेशक,शहरी विकास द्वारा निर्धारित किए गए Rate के हिसाब से 50 लाख है। इसके लिए 50 प्रतिशत सहायता अनुदान राशि आप द्वारा स्वीकृत की जानी है। इसलिए सैधान्तिक (in principal) स्वीकृति प्रदान किए जानें की कृपा करें,ताकि मशीन की खरीद की जा सके ।

भवदीय,

कार्यकारी अधिकारी,  
नगरपालिका परिषद,मनाली ।  
जिला कुल्लू (हि० प्र०)

Annexure - 4

No.MCM/Engg.cell/SWM/2024-

OFFICE OF THE MUNICIPAL COUNCIL MANALI  
DISTRICT KULLU HIMACHAL PRADESH**To****The Deputy Commissioner,**  
Kullu, District Kullu, Himachal Pradesh.

Dated:- 19/01/24

**Subject: Request for Landfill Site Identification.****Respected sir,**

I hope this letter finds you well. Our WTE plant in Manali efficiently processes waste into RDF. However, we face challenges in finding a space for inert material. We are trying to find the land but due to tourist area, the local opposition hinders our efforts. Kindly assist in identifying a suitable site, ensuring adherence to environmental regulations.

Thank you for your attention.

**Yours's Faithfully,**  
**Executive officer,**  
Municipal Council Manali.

Endst. No:- MCM/Engg. cell/SWM/2024- 2608-2609

Date:- 19/01/24

**Copy Forward to:-**

1. The Regional Officer, HP Pollution Control Board Kullu -175101, Himachal Pradesh for information Please.

  
**Executive officer,**  
Municipal Council Manali.

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Annexure 5

No.MCM/Engg.cell/SWM/2024-2605

OFFICE OF THE MUNICIPAL COUNCIL MANALI  
DISTRICT KULLU HIMACHAL PRADESH

To

M/S Nextgen Chemicals,  
waste to energy plant  
Rangri, Manali, HP

Dated:- 18-01-24

**Subject: Show Cause Notice for Non-Performance in Processing Municipal Solid Waste (MSW).**

Sir,

We note with concern the accumulation of MSW at your Rangri, Manali, HP waste-to-energy plant. As per our MOU, your company committed to 100% processing of fresh incoming MSW. The increased quantum of legacy waste at the site is a violation of this agreement.

This matter is deemed serious by the Hon'ble NGT. Kindly provide an explanation for the non-performance within seven days of receiving this notice. Failure to do so may lead to appropriate action as per the MOU.

Your urgent attention to this matter is expected. Please treat this matter with the urgency and seriousness it deserves, considering the environmental impact and the legal obligations outlined in our agreement.

**Your response is required within seven (7) days. Failure to comply may result in further actions.**

Yours's Faithfully,

Executive officer,  
Municipal Council Manali.

Date:-

Endst. No:- MCM/Engg.cell/SWM/2024-

Copy Forward to:-

1. The Deputy Commissioner Kullu for information please.

Executive officer,  
Municipal Council Manali.

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Annexure 6

No.MCM/Engg.cell/SWM/2024-2603-2604

**OFFICE OF THE MUNICIPAL COUNCIL MANALI  
DISTRICT KULLU HIMACHAL PRADESH**

To

**M/S Rekart Innovations Pvt Ltd.**  
132, Sector-27, Gurgaon,  
Haryana-122009

Dated:- 18-01-24

**Subject: Show Cause Notice - Tender ID: UD-H(F)(10)-15/2015(Legacy Waste Manali).**

Sir,

This is an official notice addressing concerns about Rekart Innovations Pvt Ltd.'s performance under Tender ID UD-H(F)(10)-15/2015(Legacy Waste Manali), awarded on July 28, 2021.

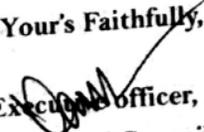
**1. Delay in Legacy Waste Clearance:**

- Provide reasons for the delay in completion.
- Outline measures taken or planned to expedite the process.

**2. Penalties for Breaches:**

- Explain why penalties for delays, violations, and other breaches should not be imposed.
- Provide evidence or arguments for any mitigating factors.

Your response is required within seven (7) days. Failure to comply may result in further actions.

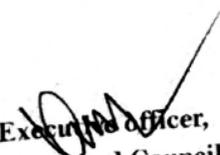
**Your's Faithfully,**  
Executive officer,  
Municipal Council Manali.

Date:-

Endst. No:- MCM/Engg.cell/SWM/2023-

**Copy Forward to:-**

1. The Deputy Commissioner Kullu for information please.

  
Executive officer,  
Municipal Council Manali.

o/c

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Annexure 7

No.MCM/Engg.cell/SWM/2024-

**OFFICE OF THE MUNICIPAL COUNCIL MANALI  
DISTRICT KULLU HIMACHAL PRADESH**

To

**The Regional Officer,**  
HP State Pollution Control Board  
Kullu-175101, HP

Dated:- 19-01-2024

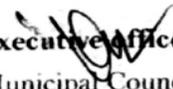
**Subject: Approved Technology for Processing Organic Waste at Rangri MSWM Plant****Sir,**

We are managing organic waste at our MSWM plant in Rangri, Manali, sourced from the Tourism Development Council, Panchayats, and hoteliers outside our municipal council's jurisdiction. Unfortunately, we lack space for on-site composting.

Kindly advise on an approved technology suitable for our region's space and climatic conditions. This information is crucial for our funding request to acquire the necessary machinery.

Your prompt guidance is highly appreciated.

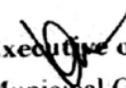
Yours's Faithfully,

  
**Executive Officer,**  
Municipal Council Manali.

Endst. No:- MCM/Engg.cell/SWM/2024-2606-07 Date:- 19/07-2024

Copy Forward to:-

1. **The Deputy Commissioner Kullu** for information and N/A please.

  
**Executive officer,**  
Municipal Council Manali.

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Annexure: 8

## OFFICE OF THE MUNICIPAL COUNCIL MANALI.

To

Hon'ble **National Green Tribunal,**  
Delhi.No. MCM/NGT/ Sanitation-2198-<sup>2201</sup> dated 05-12-2023**Subject:-** Notice in MA no. 79/2023 in Original Application No. 758/2022.**Sir,**

Kindly refer to the Deputy Commissioner Kullu office letter no. DC/KLU/LFA/MA no. 79/2023-693 dated 217-10-2023 , on the subject cited above.

In this context it is submitted that the status report of Solid Waste Management w.r.t. MC Manali is as under:-

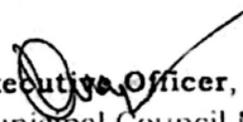
1. **Removal of Legacy Waste:-** The Council have signed MOU with Reckart Company to process the Legacy Waste but the company is not processing the waste . The matter has been brought into notice of Govt. The Principal Secretary during VC held with Deputy Commissioner have issued direction to visit the spot. The spot has been visited by the DC Kullu alongwith representative of M/S Reckart and Municipal Council Manali, after spot inspection the Deputy Commissioner Kullu directed Municipal Council Manali to construct approach road to Legacy waste site where land can be made available to set up Waste processing plant. The Municipal Council Manali has started the C/O approach road for which the MC will have to spent Rs 57 Laes for approach road and platform etc. for setting up Legacy Waste processing plant. Municipal Council Manali has incurred expenditure about Rs 30.00 Lac.  
MC Manali has also applied the electricity connection for Legacy waste processing site and amount Rs. **13,10,590/-** deposited with HPSEBL for the same.  
M/S Reckart company has processed 2521.39 Tonnes of Legacy waste till date and sent 60.50 Tonnes of processed RDF to Cement plants for final disposal.
2. The Waste to Energy plant has sent **13873** Tonnes of RDF to cement factory for which Municipal Council Manali have spent Rs **79,64,656/-** for transportation of RDF on 50% cost of Transport expenditure basis.

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15,30,000/-imposed by the Member Secretary HPSPCB vide notice no. PCB (44) MSW/MC Manali/ 2023- 1794-98 dated 10-05-2023. The MC Manali has handed over the entire sight alongwith old structure to the said company to set up waste to energy production plant at Rangari vide resolution no. 227 dated 15-10-2018 on BOT Basis for a period of 25 years. But the company has failed to install the Waste to Energy plant and has already installed the plant upto RDF production section. The MC Manali vide resolution no. 319 dated 31-05-2023 has decided to write a letter to PCB for waving off the Compensation imposed on MC Manali. The MC Manali vide letter no. MCM/Garbage/2023-1199-1205 dated 07-08-2023, and no. MCM/Garbage/2023- 1896-1907 dated 16-09-2023 intimated the M/S Waste To Energy Plant to do the needfull as per the resolution passed by the MC Manali on dated 31-05-2023.

Yours faithfully,

  
Executive Officer,  
Municipal Council Manali.

No. As above. 2198 - 2201

Dated 05 Dec. /2023

Copy forwarded to:-

1. The Member Secretary, HPSPCB, HIM Parivesh Bhawan, Phase-III New Shimla-09 for information please.
2. The Director Urban Development H.P. Shimla-2 for information please.
3. The Deputy Commissioner Kullu for information please.

  
Executive Officer,  
Municipal Council Manali

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