

**BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

IN

ORIGINAL APPLICATION NO. 606 OF 2018

IN THE MATTER OF:


**COMPLIANCE OF MUNICIPAL SOLID WASTE MANAGEMENT RULES, 2016 AND
OTHER ENVIRONMENTAL ISSUES**

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New Delhi



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**Observation note by the Amicus Curie to Status Report/ Compliance Affidavit filed by
the Respondent State of Uttarakhand**

The compliance affidavit filed by the State of Uttarakhand before this Hon'ble Tribunal discloses the following information: total solid waste generation of 1,930.85 MTPD; a solid waste processing deficit of 126.59 MTPD; a plastic waste processing deficit of 30.89 MTPD; accumulation of legacy waste quantified at 23.52 lakh MT across 61 identified sites; sewage generation of 534.65 MLD; a sewage treatment deficit of 335.39 MLD, resulting in approximately 63% of sewage generation remaining untreated; utilisation of most of the storm water drains for sewage discharge; and the existence of a ring-fenced fund amounting to Rs. 10,000 lakhs, against which only Rs. 808.57 lakhs has reportedly been utilised since.

The seriousness of the aforesaid Gaps is further aggravated by the State's admitted practice of utilising municipal solid waste residues, rejects, and inert materials for reclamation and backfilling of low-lying areas in the absence of fully operationalised Sanitary Landfill Facilities (SLFs). In any ordinary State, this would be a matter of grave environmental concern. But such a practice, in the context of a Himalayan State, raises substantial environmental and ecological concerns, particularly where such low-lying areas may comprise river floodplains, wetland peripheries, forests or the banks of glacially-fed streams.

The continued use of such materials for reclamation purposes poses significant risks to groundwater quality through leachate infiltration into alluvial aquifers; surface water quality through runoff of leachate and particulate matter into tributaries feeding Gangajji; biodiversity through degradation and destruction of riparian ecosystems; and geological stability through disruption of natural drainage regimes in terrain inherently susceptible to landslides, erosion, and flash flood events.

It is respectfully submitted that the undernoted observations emerge from the affidavit and filed in the above-captioned matter by the States of Uttarakhand:

S.NO	TOPIC	OBSERVATION
1.	Population	<ul style="list-style-type: none"> i. Total population in the State- 36,43,049 (area 4.1% total) ii. Total ULBs- 108
2.	Solid waste (pg. 739)	<ul style="list-style-type: none"> i. GAP- 126.59 MTPD ii. Total waste generated- 1930.85 MTPD iii. Total waste processed- 1804.59 MTPD iv. Method of final waste disposal- <i>“Wet Waste is used as compost/manure, Dry Waste like Recyclables sent to recyclers, RDF sent to WtE/Cement plant/ Inert use in low lying areas/Backfilling until construction of SLF”</i>. Waste Processing (pg. 791)- Residue/ Rejects are <i>“Used in low lying areas/Backfilling until construction of SLF”</i> It is a matter of grave concern that a Himalayan State, characterised by numerous eco- sensitive areas, is utilizing municipal solid waste residues, rejects, and inert materials for land reclamation and backfilling in low lying areas pending construction of a designate SLF. There is some disposal in <i>trenching grounds</i> as well. Consequently, ULBs and townships within such ecologically fragile jurisdictions must mandate and execute comprehensive framework to achieve <i>“zero- landfill”</i> status. v. Total waste collected- door to door collection vi. WTE Plant- 2 plants (50 TPD at Rudrapur but running capacity is only 15 TPD, pg. 787)

		<ul style="list-style-type: none"> vii. C& D plant- information not provided viii. Authorised waste recyclers- information not provided ix. Bio- methanation plant- No x. Sanitary waste collection & processing- information not provided xi. Inert & Silt- used in <i>low lying areas</i>/ back filling until construction of SLF and some sent to SLF xii. Flyash & bottom Ash (WTE)- No WTE xiii. Quality of compost- information not provided xiv. Plastic waste Generated- 154.46 MTPD xv. Plastic waste processed- 123.57 MTPD xvi. Gap in processing of Plastic waste- 30.89 MTPD xvii. Other information- <ul style="list-style-type: none"> a) The compliance data reflects daily generation and processing figures but there is no information provided for seasonal tourist influx. In such seasons, tourist areas generate 3-5 times more than the base- level daily figures. b) The compliance report does not disclose about final disposal of fly ash/ bottom ash from the WTE plant. c) The Rudrapur WTE plant's installed capacity is 50 TPD and it is operating at only 15 TPD. What is the action plan for achieve optimum performance.
3.	Legacy waste (pg. 804)	<ul style="list-style-type: none"> i. GAP- 16.91 lakhs MT ii. Total identified LWS- 61 (At many NP/ NPP-ULBs , there are no landfill sites) iii. Total legacy waste- 23.52 lakhs MT iv. Total LWS remediation- 26 (6.61 lakhs MT @ Rs. 29 Cr.) v. Daily waste added- discrepancy in data provided for “<i>daily legacy waste being added as unprocessed</i>” and daily waste processed. Consequently, across numerous ULBs where the Gap is stated to be “No gap/ no legacy waste” may not accurately reflect operational realities. vi. WTE Plant- 2

		<p>vii. Inert & Silt- used in <i>low lying areas</i>/ back filling until construction of SLF and some sent to SLF</p> <p>viii. RDF utilisation-</p> <p>ix. Leachate collection & disposal- no information</p> <p>x. Total land recovered- No information provided</p> <p>xi. Site Remediation plan for LWS (soil & ground water)- No information provided</p> <p>xii. Utilisation plan for recovered land from LWS- No information provided</p> <p>xiii. Daily legacy waste being added and processed- In many districts, daily waste added to landfill is less than daily waste processed. For instance:</p> <table border="1"> <thead> <tr> <th>ULB</th> <th>Daily added</th> <th>Daily processed</th> </tr> </thead> <tbody> <tr> <td>Alomra NN</td> <td>0.00</td> <td>13.00</td> </tr> <tr> <td>Ranikhet NPP</td> <td>0.00</td> <td>3.00</td> </tr> <tr> <td>Bageshwar NPP</td> <td>0.50</td> <td>7.00</td> </tr> <tr> <td>Chamoli NPP</td> <td>0.00</td> <td>7.00</td> </tr> <tr> <td>Dehradun NN</td> <td>0.00</td> <td>465.00</td> </tr> <tr> <td>Rishikesh NN</td> <td>24.00</td> <td>32.80</td> </tr> <tr> <td>Pauri, Srinagar</td> <td>0.00</td> <td>25.00</td> </tr> <tr> <td>Haridwar NN</td> <td>0.00</td> <td>250.00</td> </tr> </tbody> </table>	ULB	Daily added	Daily processed	Alomra NN	0.00	13.00	Ranikhet NPP	0.00	3.00	Bageshwar NPP	0.50	7.00	Chamoli NPP	0.00	7.00	Dehradun NN	0.00	465.00	Rishikesh NN	24.00	32.80	Pauri, Srinagar	0.00	25.00	Haridwar NN	0.00	250.00
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4.	Liquid waste (pg. 564/558)	<p>i. Total sewage generation- 534.65 MLD (in 2025)</p> <p>ii. Number of drains (mostly storm water)- 305</p> <p>iii. Total STPs- 45 operational</p> <p>iv. Total installed capacity- 446.12 MLD</p> <p>v. Total STP Utilisation- 338.17</p> <p>vi. STPs functioning at 100% capacity- Mothrowala 1 & 2 (Dehradun), Jagjeetpur (27 MLD & 18 MLD) , Sarai, Pauri (near junior high, swargashram jonk, Kirti nagar 0.01 MLD)</p> <p>vii. STP functioning beyond capacity- Sarai,</p> <p>viii. STP performing under capacity- Haridwar</p>																											

		<ul style="list-style-type: none"> ix. GAP (in sewage treatment, pg.736)- 335.39 MLD x. Water quality analysis of drains- <ul style="list-style-type: none"> a) High BOD- Uttarkashi ULB, Pauri, Pithoragarh, Nainital, Roorkee, Haridwar, Rishikesh, Champawat, Dehradun, Chamoli (at prayag) b) High FC- US Nagar, Tehri, Rudraprayag, Ptihoragarh (dharchula), Pauri, Nainital, Haridwar, Dehradun, Rishikesh, Champawat (lohaghat & Tanakpur- alarmingly high FC with No STP), Chamoli (alarmingly high FC WITH No STP), xi. Final discharge- Rivers xii. Number of storm water drains used for sewage disposal- almost all xiii. Number of streams used for sewage disposal- information not provided. xiv. Flood plain zoning of streams/ rivers/ storm drains/ water bodies- information not provided xv. STP sludge utilisation- xvi. Water quality analysis of STP inlet- information not provided xvii. Water quality analysis of STP outlet- information not provided xviii. Household confectioned with sewer network- 176159 (out of targeted 225085)
5.	Ring fenced account	<ul style="list-style-type: none"> i. Account opened- 23.12.2024 ii. Amount deposited- 10000 lakhs iii. Amount Utilised- 808.57 lakhs iv. Amount to be utilised by- December 2027

SUGGESTIONS:

Accordingly, the following suggestions are respectfully proposed to ensure time-bound compliance, strengthen institutional accountability, enhance environmental safeguards, and align implementation with statutory mandates and judicial directions.

Legacy waste	<p>Information and Action plan for remediation with timeline maybe provided for:</p> <ul style="list-style-type: none"> (i) leachate generation rates and migration pathways (ii) methane and other landfill gas generation (iii) Daily waste added to the landfill (also in ULBs where legacy waste is shown to be ‘zero’) (iv) Recovered- Land use plan for the remediated LWS. (v) Remediation plan for soil and groundwater for the recovered LWS land. (vi) Provide location of proposed new landfill sites- clarify whether such LWS are being established in/ around/ near to any water bodies or Forest.
Solid waste	<ul style="list-style-type: none"> i. State may consider appropriate and innovative technologies to deal with daily generated solid waste in high- altitude areas, such as decentralised solutions like portable modular waste segregation and compact units, insulated composting facilities (if feasible) etc. ii. Device usage plan for <i>refuse- reject</i> materials from municipal solid waste instead of dumping everything in low lying areas. iii. The single most cost-effective waste reduction intervention for high-altitude areas is the rigorous enforcement of the <i>single-use plastic (SUP) prohibition</i> at all entry checkpoints — route gates, parking lots, and ferry/mule service starting points — by dedicated enforcement teams. As the compliance affidavit records a plastic waste processing gap of 30.89 MTPD for the state as a whole. iv. Mandatory EPR Registration for all tourism packaging producers in Uttarakhand (producer/ importer/ brand owner)

	<ul style="list-style-type: none"> v. State may also consider “<i>Deposit Refund System</i>” for plastic bottles and other such waste. vi. The State may consider prohibiting sale of certain packaging material in ecologically fragile areas- sachets of any material below 50g, expanded polystyrene (thermocol) packaging and cutlery, PVC coated packaging, non- compostable plastic bags.
Liquid waste	<ul style="list-style-type: none"> i. Area with hazardously high FC/ BOD (eg. Chamoli & Champawat)- The State must provide interim and emergency measure for cessation of direct sewage into the rivers. ii. Provide drain to drain plan, identifying streams/ storm drains from sewage lines. iii. STPs must install real-time water quality sensors. iv. STPs that are over- performing or underperforming must be monitored and repaired v. The State may frame a STP sludge utilisation policy, mandating better utilisation of “stabilised” sludge. vi. Flood plain zoning must be undertaken for all rivers, tributaries, distributaries, streams, storm water drains and any-other waterbody.

This Hon’ble Tribunal has consistently held, through its environmental jurisprudence, that constitutional and statutory obligations in matters of environmental governance require not merely formal compliance with prescribed mandates and timelines, but the achievement of substantive and measurable environmental outcomes.

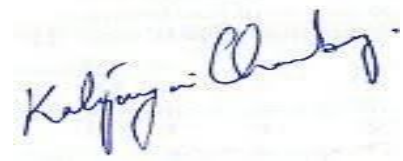
In this context, the State of Uttarakhand is respectfully required, through the directions proposed herein, to demonstrate that the commitments reflected in its affidavits and policy measures are being effectively translated into tangible improvements in environmental conditions across the State.

The observation note is respectfully submitted for the kind perusal of the Hon’ble National Green Tribunal, Principal Bench, New Delhi.

AND FOR THIS ACT OF KINDNESS, THE ADVOCATE AS IN DUTY BOUND SHALL
EVER BE GRATEFUL.

Dated: 17.05.2026

New Delhi



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