



HIGH COURT OF UTTARAKHAND AT NAINITAL

HON'BLE THE CHIEF JUSTICE SHRI MANOJ KUMAR GUPTA

AND

HON'BLE SHRI JUSTICE SUBHASH UPADHYAY

21ST AUGUST, 2026

WRIT PETITION (PIL) No. 105 of 2026

1: National Public Service Trust

--Petitioner

Versus

1: Union Of India

2: State Ganga Committee

3: State Of Uttarakhand

4: State Of Uttarakhand

5: State Of Uttarakhand

6: State Mission For Clean Ganga

7: Uttarakhand Pollution Control Board

8: Central Pollution Control Board

9: District Ganga Committee

10: Municipal Commissioner

11: District Ganga Committee

12: Municipal Commissioner

13: Director

--Respondents

Counsel for the petitioner. : Ms. Prabha Naithani, learned counsel.

Counsel for respondent no. 1. : Mr. Aryan Dev Uniyal, learned Standing Counsel for the Union of India.

Counsel for respondent nos. 3 to 5 & 13 : Mr. Amarendra Pratap Singh, learned Additional Advocate General with Mr. B.S. Parihar, learned Additional Chief Standing Counsel for the State of Uttarakhand.

Counsel for respondent no. 7. : Mr. Aditya Pratap Singh, learned counsel.

Counsel for respondent no. 8. : Mr. Rajeev Bhatt, learned counsel.

Counsel for respondent nos. 10 & 12. : Mr. Lalit Miglani, learned counsel.

JUDGMENT : (per Shri Manoj Kumar Gupta, C.J.)

1. The present public interest litigation has been filed raising serious concerns regarding the manner in which the waste dumping sites at Rishkesh and Haridwar are being managed, and which according to the petitioner is leading to



contamination of River Ganga near Rishikesh and Haridwar.

Accordingly, the petitioner has prayed for the following reliefs :-

- “i. Issue an appropriate writ, order or direction constituting an independent High-Level Joint Committee to conduct a time-bound scientific inspection and inquiry into the identified solid/wet/municipal waste dumping sites at Rishikesh and Haridwar, sewage discharge into the Ganga/Ganga Canal, suspected mining/excavation near Kaliyar Ganga Canal and river-side constructions/commercial establishments, and submit its report before this Hon'ble Court.*
- ii. Issue an appropriate writ, order or direction directing the respondents to immediately stop fresh dumping and establish a robust monitoring mechanism ensuring that no solid, wet or municipal waste is dumped or allowed to accumulate along the River Ganga/Ganga Canal or at places vulnerable to runoff therein; and to intercept and treat untreated sewage, leachate and contaminated runoff and ensure lawful waste management in accordance with the Solid Waste Management Rules, 2016.*
- iii. Issue an appropriate writ, order or direction for preparation and implementation of a time-bound, Court-monitored remediation plan for biomining/bioremediation of legacy waste, scientific closure and ecological restoration of dumping sites, laboratory testing of air, soil, groundwater, surface water, leachate and Ganga/Ganga Canal water, and appropriate public-health assessment of affected residents.*
- iv. Issue an appropriate writ, order or direction for verification of the legality and environmental compliance of the identified river-side hotels, commercial establishments, constructions and suspected mining/excavation activities and, wherever violations are found, take appropriate remedial, environmental, departmental, civil and criminal action, including closure/sealing, recovery of environmental compensation and fixation of accountability, in accordance with law.*
- v. Pass such other or further writ, order or direction as this Hon'ble Court may deem fit and proper in the interest of public health, environmental protection and preservation of the River Ganga.”*

2. Mr. Aditya Pratap Singh, learned counsel for respondent no. 7 has apprised the Court of the fact that the National Green Tribunal, Principal Bench, New Delhi is seized of the larger issue relating to rejuvenation and preservation of



River Ganga in OA No. 200/2014 in respect of State of Uttarakhand, and various orders passed by NGT in the said matter have also been placed before us.

3. National Green Tribunal is a special Tribunal constituted under the National Green Tribunal Act, 2010 for the effective and expeditious disposal of cases relating to environmental protection. As the NGT is already seized of the larger issue relating to pollution in River Ganga, therefore, in our considered opinion, the petitioner should approach NGT by moving intervention application in the said proceedings, or by way of independent application, as may be advised.

4. Accordingly, with the aforesaid liberty reserved in favour of the petitioner, the present writ petition stands disposed of.

5. All pending applications stand disposed of accordingly.

MANOJ KUMAR GUPTA, C.J.

SUBHASH UPADHYAY, J.

Dt: 21st August, 2026
Rahul