

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

O.A. No 137/2024

In the matter of:

Vijay Chandel & anr.

....Applicants

Versus

State of H.P. and others

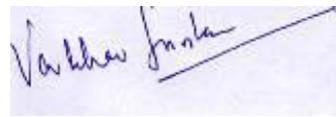
..... Respondents

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**Respondent No. 05
HPSPCB
Through Counsel**



**Vaibhav Srivastva
(Advocate)**

Dated: 09.02.2026.

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

O.A. No 137/2024

In the matter of:

Vijay Chandel & Anr.

....Applicants

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State of H.P. and others

..... Respondents

Additional report on behalf of HPSPCB in compliance to order dated 17.12.2025 of Hon'ble NGT regarding utilisation of Environmental Compensation.

Most Respectfully Showeth:

1. That the afore-cited matter is pending adjudicating before this Hon'ble Tribunal wherein, previously, a report dated 10.07.2025 was filed by HPSPCB for placing on record the action plan for utilisation of environmental compensation of Rs. 1,08,00,000/- (One Crore and Eight Lakhs Rupees).
2. That the instant matter was last listed on 17.12.2025 wherein following directions were passed qua HPSPCB:



“... 1. Learned counsel for respondent no. 5 seeks time for filing additional report regarding utilization of environmental compensation amount.

2. The same may be filed within four weeks...”

3. That the aforesaid Action Plan/proposal for utilisation of environmental compensation of Rs. 1,08,00,000/- (One Crore and Eight Lakhs Rupees) was prepared in consultation with the Forest Department, Government of H.P. As per the Action Plan/proposal, the restorative work comprised of (i). Construction of 142 number of check dams (118 dry stone check dams and 24 crate wire check dams), (ii). Crate wire retaining walls at 9 sites, for stabilisation of soil and (iii). plantations on 37 hectares of land; at various places of the affected area i.e. at Shitalpur, Kalyanpur, Landewal and Kenduwal areas of District Solan, H.P. (Copy of the aforesaid Action Plan/proposal is re-annexed here as **Annexure-I**).
4. That in this regard, it is submitted that the matter was further taken up by HPSPCB with the concerned stakeholder departments so that the Action Plan could be materialised/executed and in this regard several correspondences were made with the stakeholder departments which are annexed as **Annexure-II collectively**. Vide communication dated 04.02.2026 received from the Sub Divisional Magistrate, Baddi, it was

apprised that the Cabinet of Himachal Pradesh has approved a new Township in the Sheetalpur area and it is the same area where the action plan for providing afforestation, crate wall and check dams were proposed by Forest Department. It was further apprised that some of the land has been transferred to HIMUDA (Himachal Pradesh Housing and Urban Development Authority) and the case for finalizing additional land to be diverted is under consideration and case shall be submitted for Cabinet Approval. The process shall consume some time and revised plan for providing afforestation, crate wall and check dams may be submitted by Forest department. (Copy of communication dated 04.02.2026 received from the Sub Divisional Magistrate, Baddi is annexed as **Annexure-III**).

5. It is humbly submitted that consequent to the above developments, HPSPCB vide communication dated 05.02.2026 has requested the Forest Department, Government of H.P. to submit the revised plan accordingly (Copy of the letter dated 05-02-2026 is attached as **Annexure-IV**). It is submitted that HPSPCB will take up the matter further with the concerned departments for the utilisation of environmental compensation.



Dated: 09.02.2026

**Respondent No. 05
HPSPCB**

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

O.A. No 137/2024

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AFFIDAVIT

I, Abhay Gupta, S/o Sh. Hari Ram Gupta aged about 41 years, at present posted as Assistant Environment Engineer, H.P. State Pollution Control Board at Regional Office Baddi, HPSPCB District Solan, Himachal Pradesh, do hereby solemnly declare and affirm on oath as under:-

1. That I am well conversant with the facts of the case and duly authorised to file this report on behalf of H.P. State Pollution Control Board.
2. That the contents of paras 1-5 of the report are true and correct to the best of my knowledge, derived



from official records, no part of it is false and nothing material has been concealed therefrom.

3. I further affirm that the contents of this affidavit of mine are true and correct to my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.

Verified at Baddi, H.P. on 9th day of
February, 2026.


DEPONENT



H.P. State Pollution Control Board,
Regional Office "HIMUDA COMPLEX" Phase-1, Baddi
Tehsil Baddi, Distt. Solan (HP) Phone-01795-245374

No. HPPCB/RO Baddi/MF-202 (OA No. 137/2024)/2025

2696

Dated:-

01-07-2025

To

The Member Secretary,
"Him Parivesh", BCS Phase III, New Shimla.

Sub: Compliance of order dated 01-05-2025 O.A. No. 137/2024, titled as Vijay Chandel Vs State of H.P. & Others reg.

Sir,

This is in reference to Head Office letter number PCB/O.A. No. 137/2024/-3563-64 dated 12-06-25 regarding the compliance of the directions being passed by Hon'ble National Green Tribunal and following directions has been issued:

".....9 In the present case environmental compensation of Rs.1,08,00,000/- imposed on the violators was deposited by the Government of Himachal Pradesh with HPPCB subject to realization from the violators which is required to be utilized for protection and improvement of environment and remediation of environmental damage caused. Respondent no.5-HPPCB is directed to file an action plan for utilization of the same with details regarding the activities on which and also the agencies through which the same is to be utilized....."

In this context, the State Board had sought the proposal from the Department of Forest, Govt. of HO vide this office letter no 1192 dated 13-05-25 for utilization of environmental compensation (Copy Annexed as Annexure-1). The Deputy Conservator of Forests, Nalagarh, and Forest Division has submitted proposal for utilization of environment compensation vide letter no 3025 dated 28-06-25 (Copy Annexed as Annexure 2). The work comprises of Construction of dry Stone check dam, crate wire check dam, crate wire retaining wall and plantation for stabilization of soil of amounting to Rs 1,08,00,000/- (One Crore eight lakhs).

Submitted for favour of information and further necessary action please.

Yours faithfully,



Chief Environmental Engineer,
HPSPCB Baddi.

From

No. 3025 736
H.P. Forest Department.

Deputy Conservator of Forests,
Nalagarh, Forest Division,
Nalagarh, Distt. Solan, HP

To

Chief Enviromental Engineer.,
HP State Pollution Control Board,
Baddi, Distt. Solan HP. 173205.

Dated 28 /06/2025

Subject:

OA No. 137/2024 titled Vijay Chadel vs State of HP & ors before Hon'able NGT- Action Plan thereof.Sir,

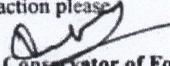
Kindly refer to your office letter No. HPPCB/RO Baddi/Court case (OA No. 137/2024) 2025-1192 dated 13.05.2025 and your office telephonic message on dated 01.07.2025 on the subject cited above.

In this connection the revised action plan of above cited subject in respect of Baddi Forest

Range of this division is tabulated as under:-

Sr. No.	Work Name	Area	Amount
1	Plantation	15 hac. Shitalpur CC F/Post fencing	1650000.00
2	Plantation	12 hac. Kalyanpur (s) CC F/Post fencing	1320000.00
3	Plantation	10 hac. Landewal (s) CC F/Post fencing	1100000.00
4	Dry Stone C/Dam	Shitalpur (s) (L) 30 no	450000.00
5	Dry Stone C/Dam	Kalyanpur (s) (L) 30 no.	450000.00
6	Dry Stone C/Dam	Landewal (s) (L) 30 no.	450000.00
7	Dry Stone C/Dam	Kenduwal (s) (L) 28 no.	420000.00
8	Crate wire C/Dam	Shitalpur 8 no.	320000.00
9	Crate wire C/Dam	Kalyanpur (s) 8 no.	320000.00
10	Crate wire C/Dam	Landewal (s) 8 no.	320000.00
11	Crate wire Retaining wall	Road side Landewal Mord 200 m3	450000.00
12	Crate wire Retaining wall	Road side Landewal Mord --II200 m3	450000.00
13	Crate wire Retaining wall	Road side near village Landewal 180m3	400000.00
14	Crate wire Retaining wall	Road side near village Kalyanpur 180m3	400000.00
15	Crate wire Retaining wall	Road side near Kalyanpur (s) -I 200m3	450000.00
16	Crate wire Retaining wall	Road side near village Landewal 200m3	450000.00
17	Crate wire Retaining wall	Road side near village Kenduwal 210m3	475000.00
18	Crate wire Retaining wall	Road side near village Kenduwal Shiv Mandir 200m3	450000.00
19	Crate wire Retaining wall	Road side near Kenduwal Raja Farm 210 m3	475000.00
20		Total:-	10800000

This is for favour of information and necessary action please


Deputy Conservator of Forests,
Nalagarh, Forest Division,
Nalagarh, Distt. Solan, HP



HP State Pollution Control Board
HIM Parivesh Bhawan, Phase-III, New Shimla-09
Phone No. 0177-2673766, 2673020



No. PCB/ OA No. 137/2024 (Vijay Chandel vs. State of H.P.&Ors.)

Dated: 16/01/2026

To

The Director

Department of Environment, Science & Technology and Climate Change (DEST&CC), Government of HP Shimla – 171002

Subject: Transfer and utilization of Environmental Compensation amount in compliance of Hon'ble NGT Order dated 17.12.2025 in OA No. 137/2024 titled "Vijay Chandel vs. State of H.P. & Others".

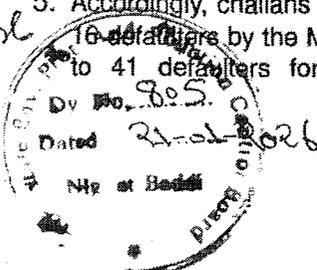
Sir,

This is in reference to letter no. HPPCB/ RO Baddi/MF-202 (OA No. 137/2024)/2025-4841-42 dated 02.01.2026 received from the Regional Officer, HPSPCB, Baddi regarding compliance of the recent order dated 17.12.2025 passed by the Hon'ble National Green Tribunal in OA No. 137/2024 titled "Vijay Chandel vs. State of H.P. & Others". Vide the said order, the Hon'ble Tribunal, inter alia, directed as under:

".....1. Learned counsel for respondent no. 5 seeks time for filing additional report regarding utilization of environmental compensation amount.
".....2. The same may be filed within four weeks....."

In this regard, the chronological sequence of events, as reported by RO, HPSPCB, Baddi, is summarized below for kind perusal and necessary action:

1. In the year 2024, on a complaint forwarded by Shri Vijay Chandel, the Hon'ble NGT registered OA No. 137/2024 alleging illegal mining/excavation using JCBs and tippers, uprooting of trees, and damage to Sheetalpur Road, causing inconvenience and safety hazards to commuters.
2. It was further alleged that the illegally excavated soil was sold to the Railways, and a request was made for enquiry and recovery from the accused, namely Shri Gurdayal S/o Shri Chhaju Ram, Village Kalyanpur, District Solan (H.P.).
3. The Hon'ble Tribunal constituted a Joint Committee comprising representatives from the Geological Wing, Department of Industries, Deputy Commissioner, Solan (H.P.), and DFO, Solan (H.P.).
4. Based on available facts, the Joint Committee confirmed illegal muck excavation and decided to identify the culprits and impose Environmental Compensation in accordance with Notification No. STE-E(5)-2/2021 dated 18.08.2022, in compliance with the Hon'ble NGT order dated 29.02.2021 in OA No. 360/2015 titled NGT Bar Association vs. Virender Singh.
5. Accordingly, challans were issued to 25 defaulters by the Police Department and 16 defaulters by the Mining Department. Further, notices were issued by the SDM to 41 defaulters for deposit of Environmental Compensation amounting to



21/1/26

- ₹1,08,00,000/-, as per the methodology prescribed in the notification dated 18.08.2022 issued by DEST&CC, H.P.
6. The Hon'ble NGT directed the State Government of H.P. to deposit the Environmental Compensation amount of ₹1,08,00,000/- from the District Mineral Fund in case of non-recovery from the defaulters by 30.03.2025. Accordingly, the said amount was deposited with the Director, EST&CC, H.P. vide Cheque No. 024361 dated 02.04.2025.
 7. Vide order dated 01.05.2025, the Hon'ble NGT directed the State Pollution Control Board to submit an action plan for utilization of the Environmental Compensation amount. In pursuance thereof, a proposal for plantation, construction of Dry-Stone Dams, Crate Wall Dams and other related works in Baddi Forest Range was received from the Divisional Conservator of Forests, Nalagarh (Solan), on 28.06.2025.
 8. Vide the latest order dated 17.12.2025, the Hon'ble NGT has called for a report regarding utilization of the Environmental Compensation amount imposed and recovered from the defaulters.

In view of the above and in order to ensure timely compliance of the directions of the Hon'ble NGT, it is requested that necessary action may kindly be taken at the earliest for transfer of the above Environmental Compensation amount of ₹1,08,00,000/- to the Divisional Conservator of Forests, Nalagarh (District Solan), being the implementing agency, for execution of the approved proposal and submission of compliance report before the Hon'ble Tribunal, so that the approved works can be executed in a time-bound manner and compliance report may be submitted before the Hon'ble NGT within the stipulated timeframe.

Signed by

Parveen Chander Gupta

Date: 15-01-2026 16:33:50

(Dr. Parveen Chander Gupta)

Member Secretary

HP State Pollution Control Board

Copy forwarded to the following for information, compliance/action and report: -

1. **The Regional Officer, HPSPCB, Baddi, District Solan (H.P.)** for information and for expediting transfer of Environmental Compensation funds from DEST&CC, GoHP to the bank account of the Divisional Forest Officer, Nalagarh (District Solan).
2. **The Divisional Forest Officer, Nalagarh Forest Division** with reference to your office letter No. 3025 dated 28.06.2025, for information and requested to immediately submit bank account details to DEST&CC, GoHP for transfer of Environmental Compensation funds for execution of the proposed works.
3. **The Law Officer, HPSPCB, Legal Cell, Head Office Shimla** for information and necessary action.
4. Case File.

-Sd-

(Dr. Parveen Chander Gupta)

Member Secretary

HP State Pollution Control Board

No./Acctt. / _____
HP Forest Department.

Dated Nalagarh the _____ 2026.

From:

DY. Conservator of Forests,
Nalagarh Forest Division,
Nalagarh, Distt. Solan, H.P.

To:

The Sub Divisional Officer (Civil),
Baddi, Distt. Solan, H.P.

Subject: -

Regarding executing of Plantation, soil conservation works and other forestry activities in Baddi Sheetalpur area as per OA No. 137/2024 titled as Vijay Chandel vs state of HP & ors before Hon'ble NGT.

Sir,

Kindly refer to this office letter No. 3072 dated 01.07.2025 on the subject cited above.

- In this connection, it intimated to your good office that, as per OA No. mentioned above honorable NGT as directed to proposed the forestry related intervention in Sheetalpur and adjoining areas which has been degraded due to illegal mining activities in this area. In this regards this Forest Division has already proposed different forestry activities to Chief Environmental engineer, HPSPCB, Baddi, District Solan. Now HPSPCB authorities are asking account details for releasing of the funds for the proposed activities.
- In this regard, it has come to notice of this office that HP Govt. has a proposal for the establishment of new township in the sheetalpur area and its adjoining areas by HIMUDA.
- Now your good office is requested to provide the exact details along with area and Khasra numbers regarding land which has been proposed for above new township to be established by HIMUDA, so that this office can take further necessary action accordingly as per NGT directions.

[Signature]
Dy. Conservator of Forests,
Nalagarh Forest Division,
Nalagarh, Distt, Solan, H.P.

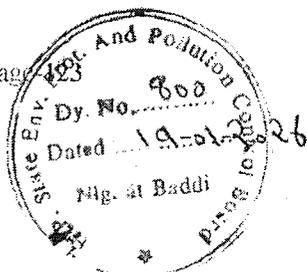
Endst. No. 9445-46 Dated, Nalagarh the 14/01 2026.

- Copy is forwarded to DC Solan for information and further direction please.
- Copy is forwarded to Chief Environmental *engineer* HPSPCB Baddi H.P. with letter dated 02.01.2026 for w/a please.

[Signature]
Dy. Conservator of Forests,
Nalagarh Forest Division,
Nalagarh, Distt, Solan, H.P.

CEE
Nalagarh
JEEV

[Signature]
19-25
Road & buil page



[Signature]
19-1-2026



No. HPPCB/RO Baddi/MF-202 (OA No. 137/2024)/2025

541-19

Dated:- 30-01-2026

740

H.P. State Pollution Control Board,
Regional Office "HIMUDA COMPLEX" Phase-1, Baddi
Tehsil Baddi, Distt. Solan (HP) Phone-01795-245374

To

The Sub Divisional Magistrate,
Baddi, Distt Solan H.P.

Sub: Compliance of order dated 17-12-2025 passed by the Hon'ble national green Tribunal in the matter of O.A. No. 137/2024 titled "Vijay Chandel v/s State of H.P. & others."

Sir,

This is in reference to letter number 9445-46 dated 16-01-2016 received from the O/o Dy. Conservator of Forests, Nalagarh Forest Division, Nalagarh, Distt. Solan. H.P. addressed to your good office regarding execution of plantation, soil conservation works and other forestry activities in Baddi Sheetalpur area in compliance to the directions passed by Hon'ble National Green Tribunal in OA No. 137/2024 titled Vijay Chandel V/s State of Hp & Ors in view of proposed new township at Sheetalpur area and has sought the exact detail of khasra numbers proposed to be acquired for upcoming township so that approved proposal by Hon'ble National green Tribunal can be executed (copy attached).

The Hon'ble National green Tribunal in the matter of O.A. No. 137/2024 titled "Vijay Chandel v/s.State of H.P. & others." on dated 17-12-2025 wherein following direction has been issued to the State Board:

"....Learned counsel for respondent no. 5 seeks time for filing additional report regarding utilization of environmental compensation amount"

The Director, Department of Environment, Science & Technology and Climate Change, Government of HP has been requested to transfer the Environmental Compensation amount of Rs 1,08,00,000/- to the Divisional Conservator of Forests, Nalagarh for execution of the approved plan vid letter number 15579-583 dated 16-01-2026. Today e-mail has been received from Head Office vide which Department of Environment, Science & Technology and Climate Change has sought the account details of DFO Nalagarh.

The matter was taken up with Dy. Conservator of Forests, Nalagarh Forest Division, Nalagarh, Distt. Solan, H.P. He appraised that matter has already been taken up with SDM Baddi for providing the detail of Khasra number to be covered under proposed township at Sheetalpur and same is awaited.

It is therefore requested to provide the detail to Dy. Conservator of Forests, Nalagarh Forest Division, Nalagarh, Distt. Solan, H.P. so that work can be started by the implementing agency at the earliest please in compliance to the Hon'ble National Green Tribunal and report is submitted accordingly.

Encl: As Above

Yours faithfully,

30/26
Assistant Environmental Engineer-I.
HPS PCB, Regional Office, Baddi.

Copy to:

1. The Member Secretary, HPSPCB in reference to e-mail dated 30-01-26 for information please.
2. The Dy. Conservator of Forests, Nalagarh Forest Division, Nalagarh, Distt. Solan, H.P. with a request to expedite the matter with SDM Baddi and if the khasra numbers proposed in the action plan are being proposed to be acquired by the Govt for upcoming township at Sheetalpur revised proposal in view of Hon'ble National Green tribunal orders may be submitted please.

30/26
Assistant Environmental Engineer-I.
HPS PCB, Regional Office, Baddi.

O/C

No. Baddi/SDM/SDK/2026- 257
Office of Sub-Divisional Officer(C)
Baddi, Distt. Solan, H.P.
Dated: - 4/2/2026

To,

The Assistant Environment Engineer-I
HPS PCB, Regional Office ,Baddi

Subject :

Compliance
Compliance of order dated 17/12/2025 passed by hon'ble national green tribunal in the matter of OA No. 137/2024 TITLED AS Vijay Chandel vs state of HP & ors

R/Sir ,

With the reference to letter no. HPPCB/RO /Baddi/mf-202(OA NO. 137/2024)/2025-5417-19 DT 30/1/2026 of your good office it is submitted that the cabinet has approved the New Township in the Sheetalpur area and it is the same area where action plan has been submitted by forest department for providing afforestation, crate wall and check dams in view of NGT Orders passed in OA no 137 of 2024 titled Vijay Chandel V/s State of HP. The some of the land has been transferred to HIMUDA and there is planning to select the closed loop of land for New Township. The case for finalizing additional land to be diverted is under consideration and case shall be submitted for Cabinet Approval. This will take at some time (approximately two months) till than the proposal may kept in abeyance. Once the khasra numbers are finalized and allotted to HIMUDA, revised plan for providing afforestation, crate wall and check dams may be submitted by the Forest Department. Also submitted that the required information is already submitted to Dy. Conservator of Forest, Nalagarh by this office . hence the report submitted for information and necessary action

Enclosed :as above

yours faithfully ,

[Signature]
Sub-Divisional Officer(C)
Baddi, Distt. Solan, H.P.
Baddi Distt. Solan H.P.

Copy to :

1. Deputy commissioner Solan ,H.P. for information .

[Signature]
Sub-Divisional Officer(C)
Baddi, Distt. Solan, H.P.



H.P. State Pollution Control Board,
Regional Office "HIMUDA COMPLEX" Phase-1, Baddi
Tehsil Baddi, Distt. Solan (HP) Phone-01795-245374

No. HPPCB/RO Baddi/MF-202 (OA No. 137/2024)/2025 - 54119

Dated:- 05-02-2026

To

The Dy. Conservator of Forests,
Nalagarh Forest Division, Nalagarh, Distt. Solan.

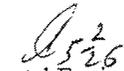
Sub: Compliance of order dated 17-12-2025 passed by the Hon'ble National Green Tribunal in the matter of O.A. No. 137/2024 titled "Vijay Chandel v/s State of H.P. & others."

Sir,

This is in reference to the letter number Baddi/SDM/SDK/2026-257 dated 04-02-2026 vide which detail of khasra numbers regarding land which has been proposed for New Township in the Sheetalpur area was sought in reference to your office letter number 9445-46 dated 16-01-2026. It is requested to submit the revised plan once all the land is diverted to the HIMUDA. Copy of letter attached for your reference please.

Encl: As Above

Yours faithfully,


Assistant Environmental Engineer-I,
HPS PCB Baddi.