

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

O.A. No 726/2023

In the matter of:

News Item titled "Deforestation ill-planned construction and unscientific - illegal mining behind Himachal Pradesh's monsoon catastrophe" appearing in The Hindu dated 25.11.2023.

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Respondent no. 02
(HPSPCB)
Through Counsel



Place: Shimla, H.P.
Dated: 10.04.2026

Aditya Vijay Kumar
(Advocate)

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

O.A. No 726/2023

In the matter of:

News Item titled "Deforestation ill-planned construction and unscientific - illegal mining behind Himachal Pradesh's monsoon catastrophe" appearing in The Hindu dated 25.11.2023.



**AFFIDAVIT ON BEHALF OF RESPONDENT
No. 02 i.e. H.P. STATE POLLUTION
CONTROL BOARD IN COMPLIANCE OF
ORDER DATED 29.01.2026.**

May it please your Lordships:

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

ATTESTED
Oath Commissioner
Nalagarh, Dist. Solan (H.P.)

1. That I am well conversant with the fact of the case and duly authorised to file this affidavit on behalf of respondent no. 02 i.e. H.P. State Pollution Control Board.
2. That the present matter is pending adjudication before this Hon'ble Tribunal wherein, respondent no. 02 i.e. H.P. State Pollution Control Board (hereinafter referred to as the "HPSPCB" in short) has filed its Reply/Response dated

20.02.2024, Affidavit dated 08.05.2025, Report dated 12.08.2024, Status Report dated 20.03.2025, and Status Report dated 24.07.2025 in Hon'ble NGT and those may be read as part and parcel of the present Affidavit of the State Board.

3. That the instant matter was last listed on 29.01.2026 wherein the Hon'ble NGT after considering the status report dated 24.07.2025 of the State Board passed following directions:-
- "...2. It is stated in the above paragraph that in accordance with the direction of the Tribunal contained in the order dated 14.02.2025 passed in the OA No. 137/2024, Vijay Chandel vs. State of Arunachal Pradesh & Ors. an amount of Rs. 1,08,00,000/- was deposited by the State of Himachal Pradesh in the State level nodal account maintained by the Director, Department of Science, Technology and Climate Changes. We have perused the order of the Tribunal dated 14.02.2025 passed in OA No. 137/2024 wherein the direction was to deposit this amount with the HP PCB for utilization for remediation of environmental damage caused...*



ATTESTED

Dist. Commissioner
Himachal Pradesh

3. *The plea which has been taken in paragraph 5 of the reply as quoted above runs contrary to the direction of the Tribunal. Hence, the Respondent No. 1 and 2 are required to furnish explanation in the form of an affidavit for depositing the amount of environmental compensation otherwise then what was directed in the order of the Tribunal quoted above. Let this affidavit be filed without four weeks.*

4. *List on 20.04.2026..."*

4. That in reference to the above directions, it is humbly submitted that in compliance to directions of Hon'ble NGT in OA No. 360/2015 titled as NGT Bar Association v. Virender Singh, the State of Himachal Pradesh has issued a notification dated 18.08.2022 (copy annexed as **Annexure-I**) for assessment and recovery of compensation for damage caused to environment & ecology due to illegal mining activities. As per the methodology/mechanism provided in the notification dated 18.08.2022, the compensation for illegal mining activities was assessed by the Joint Committee comprising of Sub-divisional Magistrate, Mining officer, Police, PWD, Forest Department and HPSPCB. Accordingly, the said Joint Committee imposed an amount of Rs.1,08,00,000/- (Rupees One Crore and Eight Lakhs) as compensation for damage caused to environment due to illegal mining activities on 41 different violators as per the notification dated 18.08.2022. Further, in compliance with the directions of Hon'ble NGT passed in order dated 14.02.2025 in O.A. No. 137 of 2024 titled Vijay Chandel v. State of Himachal Pradesh & ors, the process to recover the compensation amount of Rs. 1,08,00,000/- (Rupees One Crore and Eight Lakhs) was initiated against the 41 violators through the revenue authorities and in the meanwhile, the amount of Rs.1,08,00,000/- was deposited vide cheque dated 03.04.2025 by the Department of Industries, Govt. of Himachal Pradesh from the District Mineral Fund.



ATTESTED

Office of the District Mineral Fund
District Mineral Fund, Shimla (H.P.)

5. It is submitted that as per the provisions of the notification dated 18.08.2022 (**Annexure-I**) the amount recovered as compensation for illegal mining activities is deposited in the State Level Nodal account maintained by the Director, Department of Environment, Science, Technology & Climate Change. The relevant provision of the notification dated 18.08.2022 reads as follows:

" ...6. A State level Nodal account shall be opened by the Director, Environment, Science & Technology Department which shall be used to deposit the amount recovered as compensation from the illegal mining activities. The Director, Environment, Science & Technology with the assistance of such Agencies as deemed fit shall utilize this amount for restoration of the damage caused to environment as a result of such illegal activities. The amount recovered from a particular area/site shall be used for restoration activities in that area only or in its immediate vicinity having direct environmental effect. For this purpose, the plan for restoration shall be got made by the Sub-Divisional Magistrate with the assistance of BDO, PWD, ISV, HPSIDC, Forest or any other Agency deemed fit. The same shall be submitted along with amount needed to the Director, Environment, Science & Technology for approval. The amount shall not exceed the compensation so collected. Whatever amount is left at the disposal of the Director, Environment S&T after spending on these plans shall be used for other ecological or conservation activities



ATTESTED
D. K. C. S. S. S.
DISTRICT

A handwritten signature in blue ink, appearing to be "D. K. C. S. S. S.".

within the State in consultation with the State Government..."

Therefore, a sum of Rs.1,08,00,000/- was deposited by the Department of Industries, Government of Himachal Pradesh in the State Level Nodal account maintained by the Director, Department of Environment, Science, Technology & Climate Change for the purpose of restoration measures/remediation of the damage caused to the environment.

It is respectfully submitted that the aforesaid deposit in the State Level Nodal Account was made bonafide and in adherence to the statutory mechanism prescribed under the notification dated 18.08.2022, without any intention to deviate from the directions of this Hon'ble Tribunal.

Subsequently, in order to comply with the specific directions of Hon'ble NGT passed vide order dated 14.02.2025 in O.A. No. 137 of 2024 Vijay Chandel vs. State of Himachal Pradesh & ors, the matter was taken up by HPSPCB with the Director, Department of Environment, Science, Technology & Climate Change, Govt. of H.P. and correspondences made in this regard are annexed here as **Annexure-II collectively**. Accordingly, in compliance to the directions of Hon'ble NGT, the sum of Rs.1,08,00,000 has been transferred by the Director, Environment to HPSPCB on dated 02.03.2026. In this regard, copy of communication dated 11.03.2026 is annexed as **Annexure-III**. Thus, the requirement of deposit of the said amount



RECEIVED
 State Pollution Control Board
 Chandigarh, Distt. S.O. (H.P.)

with HPSPCB, as directed by this Hon'ble Tribunal, now stands duly complied with.

6. That regarding the utilisation of compensation amount, it is submitted that HPSPCB filed a report dated 10.07.2025 before Hon'ble NGT in OA No. 137/2024, Vijay Chandel vs. State of Himachal Pradesh & others, placing on record Action Plan/proposal for utilisation of compensation of Rs. 1,08,00,000/- (Rupees One Crore and Eight Lakhs) which 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 Shitalpu, Kalyanpur, Landewal and Kenduwal areas of District Solan, H.P. (Copy of the aforesaid Action Plan/proposal is annexed here as **Annexure-IV**).



ATTESTED

District Commissioner
Solan, Distt. Solan, H.P.

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7. 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 and executed. In this regard, several correspondences were made with the stakeholder departments which are annexed as **Annexure-V 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-VI**).



It is submitted that consequent to the above developments, HPSPCB vide communication dated 05.02.2026 requested the Forest Department, Government of H.P. to submit the revised plan accordingly (**Annexure-VII**). It is submitted that HPSPCB has also taken up the matter further with the revenue authorities for submitting the latest report with respect to progress being made in reference to the finalising of additional land to be diverted. As per the reply received from the Sub Divisional Magistrate, Baddi vide communication dated 03.03.2026, it has been apprised that report regarding changing of pools has been submitted for approval to the Deputy Commissioner vide their office letter dated 27.03.2026. (Copy of letter/communication dated 27.03.2026 is annexed as **Annexure VIII**).

ATTESTED

[Signature]
Deputy Commissioner
Baddi, Distt. Solan (H.P.)

[Signature]

It is submitted that the delay in utilisation of the amount was occasioned due to subsequent administrative developments, including approval of a township in the same area,

necessitating revision of the restoration plan, which is beyond the control of the respondent Board. It is submitted that HPSPCB has been continuously following up with the concerned authorities for finalisation of land and revision of the action plan, as reflected in Annexures III-VII, so that the compensation amount may be utilised for restorative measures in the affected area.

- 9. In view of the above facts and circumstances, it is most respectfully submitted that the present affidavit may kindly be taken on record and the explanation furnished herein be graciously accepted. The State Board shall also abide by further directions of this Hon'ble Tribunal.



[Handwritten signature]

DEPONENT

ATTESTED

Oath Commissioner

Verification:

I, the above named deponent do hereby verify that the above contents of para no. 1 to 9 of this affidavit are correct to the best of my knowledge, based on information derived from official records, no part of the same is wrong and nothing material has been concealed therefrom.

Verified at *Nalagarh* on this *10* day of April, 2026.

Certified that above was declared DEPONENT
 Oath/solemnly affirmation before me
 at *Nalagarh* this day of *10-04-2026*
 by Sh./Smt. *ABHAY GUPTA*
 deponent, who is personally
 identified by *Prem Sakalani, Subd*
 who is personally known to me.

Certified that the above affidavit is read and explained to the deponent who seems perfectly to understand the same and signed the same in my presence at the time of making thereof.

68-35

Oath Commissioner

[Handwritten signature]
 Oath Commissioner
 Date *10-04-2026*
 Time *11:30*

(Authoritative English text of this Department Notification No. STE-E(5)-2/2021 dated 18-08-2022 as required under clause (3) of article 348 of the Constitution of India)

Government of Himachal Pradesh
Department of Environment, Science & Technology

No. STE-E(5)-2/2021

Dated: Shimla-2,

18-08-2022.

NOTIFICATION

WHEREAS, under Section 5 of the Environment Protection Act, 1986(Act No. 29 of 1986), the State Government is empowered to issue direction to implement the directions passed by the Hon'ble National Green Tribunal vide order dated 23-02-2021 passed in O.A No. 360/2015-NGT titled as National Green Tribunal, Bar Association vs. Verinder Singh for recovery of compensation on account of damage caused to the environment and ecology due to illegal mining;

WHEREAS, the Hon'ble NGT in Para 25 of its above Order dated 26.02.2021 has directed Central Pollution Control Board (CPCB) that the scale of compensation calculated with reference to Approach- II mentioned in the Expert Committee Report dated 30.01.2020 be adopted by all States/UTs and that the compensation be recovered in compliance to the said order and the recovered compensation may be kept in separate account and utilized for restoration of environment by preparing an appropriate action plan under the directions of Environment Secretary with the assistance of such individual institutions as may be considered necessary. However the quantum of compensation calculated with this approach for recovery of the loss caused due to illegal mining has to be determined by the State on case to case basis and by assessing the damage done to the environment at the site;

WHEREAS, the Central Pollution Control Board, Ministry of Environment, Forest and Climate Change, Government of India vide letter No. CPCB/IPC-II/NGT-O.A (360/2015)/2021/2039, dated 11.06.2021 has directed the State Govt., in compliance of the aforesaid directions of the Hon'ble NGT and in exercise of powers conferred by section 5 of the Environment Protection Act, 1986, to evolve an appropriate mechanism for assessment and recovery of compensation in all the Districts of the State and for utilization of the recovered compensation for restoration of environment by preparing an appropriate action plan.

AND NOW THEREFORE, in view of above observations and the directions passed in para 25 of the Hon'ble NGT Order dated 26.02.2021 and in exercise of the powers conferred under section-5 of the Environmental Protection Act, 1986, the Governor of Himachal



Pradesh is pleased to devise an appropriate mechanism for assessment and recovery of compensation in all Districts of the State as follows:-

1. The overall responsibility to check illegal mining, to punish the offenders, to draw plans for prevention of illegal mining and take any further steps in this direction shall vest with the District Administration, who shall be assisted by the Superintendent of Police, the District Mining officer(s), the Forest Department and also the Departments/institutions like JSV, HPPWD, HPSIDC, Deputy Director Industries, the Block Development Officer(s) and any other Department/ Office/Authority at the District level as deemed fit by the District Magistrate or any other officer authorized in this behalf by him.
2. In order to ascertain the amount and quantity of damage done to the environment and ecology by the illegal miners or any such offenders who are in violation of any order or legislation or rule dealing with illegal mining, a Committee under the Sub-Divisional Magistrate shall ascertain the amount of damage caused to the environment by the act of such persons and cause the same to be recovered.
3. The Sub Divisional Magistrate shall first ascertain the identity of illegal miners and then seek the assistance of Mining Officer, PWD, BDO, Forest Department and the Police to calculate the damage done to environment and ecology as per the Approach II as directed by the Hon'ble NGT vide Order dated 26-02-2021 in the above tilted case. For the sake of clarity the Approach II along with other seizures and release of vehicles is explained in ANNEXURE-I.
4. For the recovery of damage done to the ecology and environment, a notice of calling the perpetrators to deposit the environmental compensation shall be issued by the Sub-Divisional Magistrate to such persons involved in illegal mining.
5. If the perpetrators fail to deposit the said amount, the Sub-Divisional Magistrate has the power to use any means including attachment of property or declaration of such amount as arrears of land revenue.
6. A State level Nodal account shall be opened by the Director, Environment, Science & Technology Department which shall be used to deposit the amount recovered as compensation from the illegal mining activities. The Director, Environment, Science & Technology with the assistance of such Agencies as deemed fit shall utilize this amount for restoration of the damage caused to environment as a result of such illegal activities. The amount recovered from a particular area/site shall be used for restoration activities in that area only or in its immediate vicinity having direct environmental effect. For this



purpose, the plan for restoration shall be got made by the Sub-Divisional Magistrate with the assistance of BDO, PWD, JSV, HPSIDC, Forest or any other Agency deemed fit. The same shall be submitted along with amount needed to the Director, Environment, Science & Technology for approval. The amount shall not exceed the compensation so collected. Whatever amount is left at the disposal of the Director, Environment S&T after spending on these plans shall be used for other ecological or conservation activities within the State in consultation with the State Government.

In the event of failure to comply with the directions passed by the Hon'ble NGT the concerned individual(s)/institution(s) shall be liable for non-compliance.

By Order

Prabodh Saxena
Addl. Chief Secretary (Env.,S&T) to the
Government of Himachal Pradesh

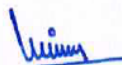
Endsts. No. STE-E(3)-2/2021

Dated: Shimla-2

18-08-2022.

Copy forwarded to the following for information & necessary action:-

1. All the Administrative Secretaries to the Government of Himachal Pradesh, Shimla-171002.
2. The Pr. Chief Conservator of Forest, H.P Shimla-171001.
3. All the Heads of Departments, Himachal Pradesh.
4. The Engineer-in-Chief, PWD, Shimla -171002.
5. The Engineer-in-Chief, Jal Shakti Vibhag, Shimla -171005.
6. The Member Secretary, HP State Pollution Control Board, Shimla-171009.
7. All the Deputy Commissioners, Himachal Pradesh.
8. All the Superintendents of Police, Himachal Pradesh.
9. The Director, Department of Industries, Himachal Pradesh, Shimla-171001.
10. The Director, Environment, Science & Technology Deptt., Himachal Pradesh, Shimla-171001
11. Guard file.


(Satpal Dhiman) 18-8-2022
Additional Secretary (Env., Sci., & Tech.) to the
Government of Himachal Pradesh

ANNEXURE-I

Recovery of compensation and other penalties for release of vehicles/equipment as per Order passed by the Hon'ble National Green Tribunal in O.A No. 360/2015-NGT Bar Association vs. Verinder Singh dated 19.02.2020.

The Hon'ble NGT considering the practical difficulty has modified its orders vide Order dated 19.02.2020 and has directed that the amount of compensation for the damage to the environment shall be charged as under:-

Sr.No.	Category of vehicle	Penalty amount
1.	Vehicles/Equipments/Excavators with showroom value more than Rs. 25 lacs and less than 5 years old.	4 lacs
2.	Vehicles/Equipments/Excavators with showroom value more than Rs. 25 lacs and more than 5 years but less than 10 years old.	3 lacs
3.	For the remaining Vehicles older than 10 years/equipments/excavators which are otherwise legally permissible to be operated and not covered by Serial No. 1 and 2.	2 lacs
Note-I: On repetition of the offence by the same vehicle/equipment, Order dated 05.04.2019 will be applicable		
Note-II- The option of release may be available for a period of one month from the date of seizure and thereafter, the vehicles may be confiscated and auctioned.		

APPROACH - II is demonstrated by following formula as under:-

Till such time as data and information for a comprehensive NPV is worked out in a site specific manner to account for all (or at least the major) ecological damages, a simplified NPV, proxied on the market value of the illegally extracted amount may be computed. In this case the NPV approach would imply that the total benefits from the activity of sand mining (as represented by the market value of the extracted amount) be deducted from the total ecological costs imposed by the activity. In the absence of data on benefits and costs separately, we recommend a modification of the formula as shown below:

Total Benefits (B) = Market Value of illegal extraction: D
Total Ecological Costs = Market Value Adjusted for risk
factor: D * RF

For present purposes, it is assumed that the Benefits would accrue only in the first year (in which the extraction of the illegally mined material takes place), while the ecological Costs would continue to be felt over a period of time. NPV is to be calculated for a period of 5 years on the net value, $\Sigma (C-B)$, at a discount rate ranging from 8%-5%, varying in inverse with the risk factor. Thus, where the highest risk factor (say 1) is applicable, the discount rate applicable would be the lowest (say 5% in this case)."

Table				
Severity	Mild	Moderate	Significant	Severe
Risk Level	1	2	3	4
Risk Factor	0.25	0.50	0.75	1.0
Discount	8%	7%	6%	5%

Compensation Charge - explicit accounting of NPV

Market Value of Illegally Mined Material (D) 5000*400 = 2000000/-
Annual Value of Foregone Ecological Values D*RF = 2000000/-

- Present Value of Foregone Ecological Values (@ 5% discount rate and over 5 years)

$$PV = \sum_{t=1}^5 \frac{(D+RT)}{(1+r)^t}$$

$$= \frac{2000000}{(1+0.05)^1} + \frac{2000000}{(1+0.05)^2} + \frac{2000000}{(1+0.05)^3} + \frac{2000000}{(1+0.05)^4} + \frac{2000000}{(1+0.05)^5}$$

= Rs. 86,58,953/-

- Net Present Value (after netting out market value of illegally mined material) - i.e., Total Compensation to be levied

$$= NPV = PV - D$$

= Rs. 66,58,953/-
Compensation Charge in above case:

Approach 2
(explicit accounting of NPV) @ 5% discount rate and over 5 years
Rs. 66,58,953/-

Wing

ILLUSTRATION NO.1

Let us say that in Shimla district 50 tons of illegally mined material has been recovered by the concerned authority. The market value of the illegal mined material is determined by the Mining Wing, who shall ascertain the pith mouth value of the illegal mined material which is presumed to be Rs.300. The market value of the illegal mined material for various categories shall also be determined by the Mining Officer(s). The variables in the illustration are assumed as per the inputs from the Mining Wing for enabling the application of the Approach II. In this case the D (market value of illegal extraction) and the RF (risk factor) shall be determined by the Mining Officer who shall calculate the amount of compensation to be levied as follows:

D= market value of illegal mined mineral x illegal mined material

RT= D x Risk factor.

r =discount.

t = time (i.e 5 years)

RF = risk factor determined by the table as Moderate i.e .50

Therefore, the r (discount) is 7% .i.e .07.

Illegal mined material =50 tons.

Market value of illegal mined material = 300 per ton (pith mouth value which is to be determined by the mining wing)

$$(D+RT) = D \times RF$$

$$PV = \sum_{t=1}^5 \frac{(D+RT)}{(1+r)^t}$$

$$(D+RT) = D \times RF$$

D= market value of illegal mined mineral x illegal mined material .

RF= <u>Mild</u>	<u>Moderate</u>	<u>Significant</u>	<u>Severe</u>
.25	.50	.75	1

$$(1+r) = 8\% \quad 7\% \quad 6\% \quad 5\% \quad (\text{as per Table-2})$$

Illegally mined material = 50 tons

Market value = Rs.300 per ton (pit mouth value)

i.e D = **market value of illegal mined mineral x illegal mined material**

$$= 300 \times 50 = \text{Rs.15000}$$

RF= risk factor adopted is Moderate.

Annual value of forgone ecological values = D x RF (risk factor)

$$= 15000 \times .50(\text{moderate})$$

$$= \text{Rs.7,500.}$$

Present value of forgone ecological value (PV) = 7% discount for moderate (r)

$$\begin{aligned}
 PV &= \sum_{t=1}^5 \frac{(D+RT)}{(1+r)^t} \\
 \text{i.e.} & \frac{(7500)}{(1+0.07)^1} = 7,009.34 \text{ (first year)} \\
 & \frac{(7500)}{(1.07)^2} = \frac{7500}{1.15} = 6,521.73 \text{ (second year)} \\
 & \frac{(7500)}{(1.07)^3} = \frac{7500}{1.22} = 6,147.54 \text{ (third year)} \\
 & \frac{(7500)}{(1.07)^4} = \frac{7500}{1.31} = 5,725.19 \text{ (fourth year)} \\
 & \frac{(7500)}{(1.07)^5} = \frac{7500}{1.40} = 5,357.14 \text{ (fifth year)}
 \end{aligned}$$

$$7,009.34 + 6,521.73 + 6,147.54 + 5,725.19 + 5,357.14 = 30,760.94.$$

Rs. 30,760.94. to be recovered as compensation against illegal mining.

Note: The quantity and value of illegally mined material used for illustration-1 as above are hypothetical and are only used to bring clarity.

ILLUSTRATION NO. 2

Let us say that in Una district 70 tons of illegally mined material has been recovered by the concerned authority. The market value of the illegal mined material is determined by the Mining Wing, who shall ascertain the pith mouth value of the illegal mined material which is presumed to be Rs 400. The market value of the illegal mined material for various categories shall also be determined by the Mining Officer. The variables in the illustration are assumed as per the inputs from the Mining Wing for enabling the application of the Approach II. In this case the D (market value of illegal extraction) and the RF (risk factor) shall be determined by the Mining Officer who shall calculate the amount of compensation to be levied as follows:

D= market value of illegal mined mineral x illegal mined material

RT= D x Risk factor.

r =discount

t = time (i.e 5 years)

RF = risk factor determined by the table as Severe i.e .1

Min

Therefore, the r (discount) is 5% .i.e .05.

Illegal mined material =70 tons.

Market value of illegal mined material = 400 per ton (pith mouth value which is to be determined by the mining wing)

$$(D+RT) = D \times RF$$

$$PV = \sum_{t=1}^5 \frac{(D+RT)}{(1+r)^t}$$

$$(D+RT) = D \times RF$$

D= market value of illegal mined mineral x illegal mined material .

$$RF = \frac{\text{Mild} \quad \text{Moderate} \quad \text{Significant} \quad \text{Severe}}{.25 \quad .50 \quad .75 \quad 1}$$

$$(1+r) = 8\% \quad 7\% \quad 6\% \quad 5\% \quad (\text{as per Table-2})$$

Illegally mined material = 70 tons

Market value = Rs.400 per ton (pit mouth value)

i.e D = market value of illegal mined mineral x illegal mined material

$$= 400 \times 70 = \text{Rs.}28,000$$

RF= risk factor adopted is Severe.

$$\begin{aligned} \text{Annual value of forgone ecological values} &= D \times RF \text{ (risk factor)} \\ &= 28,000 \times 1 \text{ (moderate)} \\ &= \text{Rs } 28,000. \end{aligned}$$

Present value of forgone ecological value (PV) = 5% discount for severe (r)

$$PV = \sum_{t=1}^5 \frac{(D+RT)}{(1+r)^t}$$

$$\text{i.e } \frac{(28,000)}{(1+.05)^1} = 26666.66 \text{ (first year)}$$

$$\frac{(28,000)}{(1+.05)^2} = \frac{28000}{(1.10)} = 25454.54 \text{ (second year)}$$

$$\frac{(28000)}{(1.05)^3} = \frac{28000}{(1.16)} = 24,137.93 \text{ (third year)}$$

$$\frac{(28000)}{(1.05)^4} = \frac{28000}{(1.22)} = 22,950.81 \text{ (fourth year)}$$

$$\frac{(28000)}{(1.05)^5} = \frac{28000}{1.28} = 21,875.00 \text{ (fifth year)}$$

ling

$$26666.66^1 + 25454.54^2 + 24,137.93^3 + 22,950.81^4 + 21,875.00^5 = \text{Rs. } 1, 21,084.94.$$

Rs. 1, 21,084.94 to be recovered as compensation against illegal mining.

Note: The quantity and value of illegally mined material used for illustration-2 as above are hypothetical and are only used to bring clarity.

ILLUSTRATION NO 3

The SDM of the let's say XYZ, Sub-Division area received information that about six persons with their equipment and vehicles are digging at point A, situated near river B. The SDM shall seek the assistance of the Police immediately and reach the site along with officer(s) of the Mining Department. He shall immediately identify the illegal miners with the help of the Police and confiscate their machinery. The machinery shall be kept in the custody of the local Thana. The videography of the spot be done alongwith the statements of village Revenue Officer and responsible persons from the Panchayat or the *Lumberdar* be recorded.

The SDM shall get the damage caused to the ecology and environment assessed by the officers of the Mining Department who, if need be, shall be given assistance by the PWD, Forest Department, Block Development Officer (BDO), or the Revenue Officials. For the purpose of the calculations of damage caused to the ecology and environment Approach-II shall be applied for which the Mining Officer or his representative shall be competent. Once calculations are done by the Mining Officer the same shall be conveyed to the offenders by way of notice, delivered as per routine practices of delivery of notices. A time period of 15 days shall be given to the offenders to deposit the Environment Compensation failing which the same shall be recovered by way of arrears of land revenue.

For the recovery of Environment Compensation the SDM may use other practices like cancellation of the Government contracts, blacklisting for future participation in tenders, etc. as per the content and situations. Only after the said Environment Compensation has been deposited, the vehicles and the machinery used in illegal mining shall be released.

Lim



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".

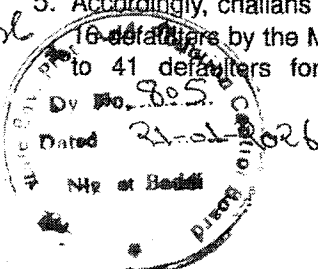
Sir,

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. Env. S&T (E)-5-36/2021-O.A No. 360/2015

Department of Environment, Science Technology & Climate Change.

Paryavaran Bhawan, Near US Club, Shimla-1

Ph: 0177-2656559, 2659608 fax: 2659609

**MOST URGENT NGT MATTER
PERSONAL ATTENTION**

From:

Director,
Department of Environment, Science & Technology,
Paryavaran Bhawan, US Club,
Shimla, 171001.

To

The Member Secretary,
H.P. Pollution Control Board,
Shimla-171009.



Dated: Shimla-1.the , 2026

Subject: Transfer and utilization of Environment Compensation amount in Compliance of Hon'ble NGT order dated 17.12.2025 in O.A No. 137/2024 titled " Vijay Chandel vs. State of H.P &Ors."

Sir,

This is in reference to your letter No. PCB/ OA No. 137/2024 (on the subject cited above (Vijay Chandel vs. State of H.P &Ors.) 15579-583 dated 16.01.2026 on the subject cited above. In this regard, it was requested by H.P PCB to transfer the amount of Rs. 1,08,00,000/- deposited in the Nodal account created as per the directions of Hon'ble NGT in OA No. 360/2015 in the name of Director, EST&CC, H.P. vide Cheque No. 024361 dated 02.04.2025. That in response to the same e-mail was sent on 30.01.2026. and 09.02.2026 to your office to furnish the details of the account No. of DFO, Nalagarh so that the amount can be transferred to the concerned agency for compliance to the directions of the Hon'ble NGT.

Further, an e-mail has been received from your office on 09.02.2026 stating that the Deputy Conservator of Forests, Nalagarh Forest Division vide letter dated 16.01.2026 and a letter dated received from the Sub-Divisional Officer, Baddi, District Solan, H.P, vide letter No. 04.02.2026 have stated that the Cabinet of Himachal Pradesh has approved a new Township in the Sheetalpur area and that it is the same area where the action plan for providing afforestation, crate wall and check dams were proposed by Forest Department. It has been 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. It was further informed that the process shall consume some time and revised plan for providing afforestation, crate wall and check dams may be submitted by Forest department.

That in the light of above stated facts the same may also be apprised on the behalf of DEST&CC, before the Hon'ble NGT, due to which the said compensation amount could not be released.

The matter is listed on 12.02.2026.

Thanking You,

Yours sincerely,

D.C. Rana, IAS.

Director.

Department of Environment, Science, Technology & Climate Change.
Himachal Pradesh, Shimla-1

Endst: No. As above;

dated the Shimla-1,

February, 2026

Copy to:

1. The Secretary (EST) to the Government of Himachal Pradesh, Shimla, H.P. for information please.

Director,
Department of Environment, Science, Technology & Climate Change.
Himachal Pradesh, Shimla-1

No. Env. S&T (E)-5-36/2021-O.A No. 360/2015
 Department of Environment, Science Technology & Climate Change.
 Paryavaran Bhawan, Near US Club, Shimla-1
 Ph: 0177-2656559, 2659608 fax: 2659609

**MOST URGENT NGT MATTER
 PERSONAL ATTENTION**

From:

Director,
 Department of Environment, Science & Technology,
 Paryavaran Bhawan, US Club,
 Shimla, 171001.

To

The Member Secretary,
 H.P. Pollution Control Board,
 Shimla-171009.

Dated: Shimla-1.the , 2026

Subject: Transfer and utilization of Environment Compensation amount in Compliance of Hon'ble NGT order dated 17.12.2025 in O.A No. 137/2024 titled "Vijay Chandel vs. State of H.P &Ors."

Sir,

This is in reference to your letter No. PCB/ OA No. 137/2024 (on the subject cited above (Vijay Chandel vs. State of H.P &Ors.) 15579-583 dated 16.01.2026 on the subject cited above and the Letter No. Env. S&T (E) -5-36/2021 -OA No. 360/2015 sent by DEST&CC to HPPCB.

In this regard, it is again requested that the amount of Rs. 1,08,00,000/- deposited to the Nodal account created as per the directions of Hon'ble NGT in OA No. 360/2015 by the H.P PCB. vide Cheque No. 024361 dated 02.04.2025 may be taken/ transferred back. It has been stated by HPPCB that the Cabinet of Himachal Pradesh has approved a new Township in the Sheetalpur area and that 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.

Thus, in order to comply with the directions of the Hon'ble NGT the amount is proposed to be transferred from DEST&CC to your office. That the Account details have not been furnished till date and is leading to non-compliance to the directions of the Hon'ble NGT.

It is therefore, requested that the Account details of the HPPCB may be furnished to this office at the earliest so that the amount of Rs.1,08,00,000/- deposited in the NGT Nodal Account at DEST&CC be released to your Account as per Hon'ble NGT directions.

Thanking You,

Yours sincerely,

D.C. Rana, IAS.
 Director,

Department of Environment, Science, Technology & Climate Change.
 Himachal Pradesh, Shimla-1

2368-69
 Endst: No. As above;
 Copy to:
 1. The Secretary (EST) to the Government of Himachal Pradesh, Shimla, H.P. for information please.

7h
 11 February, 2026

Director,
 Department of Environment, Science, Technology & Climate Change.
 Himachal Pradesh, Shimla-1



H. P. State Pollution Control Board.

Him Parivesh, Phase-III, New Shimla-171 009

Telephone Nos. : 0177-2673766, 2673020

Website: <http://www.hppcb.nic.in> E. mail: mshppcb@gmail.com



No. PCB/OA No. 137/2024- **17568-570** Dated: **17/02/28**

To

The Director,
Department of Environment Sci. Tech. & CC.
Government of H.P. Paryavaran Bhawan,
Near US Club, Shimla, H.P. - 171001.

Subject: Transfer and utilisation of Environment Compensation amount in compliance of Hon'ble NGT order dated 17.12.2025 in OA No. 137/2024 titled Vijay Chandel v. State of H.P. & others.

Sir,

Please refer to your letter no. Env. S&T (E)-5-36/2021-O.A. No. 360/2015-2368-69 dated 11.02.2026 on the above-cited subject matter wherein, it was intimated that compensation amount of Rs. 1,08,00,000/- is proposed to be transferred from DEST&CC to HPSPCB and in this regard Account details for deposit of EC funds was sought from this office.

In this connection, it is intimated that the aforesaid funds may be deposited in the account of 'Member Secretary, HP State Pollution Control Board', Bank of Baroda A/c no. 54140100001617, IFSC Code BARB0NEWSIM (Fifth figure is Zero in IFSC Code) which is an Environmental Compensation Fund maintained by HPSPCB.

Yours Sincerely,

Dr. Parveen Gupta
Member Secretary
HPSPCB, Shimla.

o/c

#2

Copy to:

1. The Joint Controller (Finance & Accounts), HPSPCB, Shimla, HQ: for information.
2. The Env. Engineer, Incharge, Consent Division, HPSPCB, Shimla, HQ: for information.

Dr. Parveen Gupta
Member Secretary
HPSPCB, Shimla.

o/c

#2

No. Env. S&T (E)-5-36/2021-o.a No. 360/2015 - 2438
Department of Environment, Science Technology & Climate Change.
Paryavaran Bhawan, Near US Club, Shimla-1
 Ph: 0177-2656559, 2659608 fax: 2659609
MOST URGENT NGT MATTER

From:

Director,
Department of Environment, Science & Technology,
Paryavaran Bhawan, US Club,
Shimla, 171001.

To

✓ **The Member Secretary,**
H.P. Pollution Control Board,
Shimla-171009.

Dated: Shimla-1.the

10th March, 2026

Subject: Transfer and utilization of Environment Compensation amount in Compliance of Hon'ble NGT order dated 17.12.2025 in O.A No. 137/2024 titled "Vijay Chandel vs. State of H.P & Ors."

Sir,

This is in reference to your letter No. PCB/ OA No. 137/2024-17568-570 (on the subject cited above) dated 17.02.2026 on the subject cited above.

In this regard, it is intimated that as per the Account No. furnished by HPPCB on 17.02.2026, the A/C No. 54140100001617, IFSC Code BARB0NEWSSIM the compensation amount of Rs. 1,08,00,000/- has been transferred / released on 02.03.2026 in favour of Member Secretary, PCB Shimla through UTR No. PUNBR2026030213865793 dated 02.03.2026.

Thanking You,



Yours sincerely,

D.C. Rana, IAS.
 Director,
 Department of Environment, Science, Technology & Climate Change.
 Himachal Pradesh, Shimla-1

Endst: No. As above;

dated the Shimla-1,

March, 2025

Copy to:

1. The Secretary (EST) to the Government of Himachal Pradesh, Shimla, H.P. for information please.

16/3/26
 Director,
 Department of Environment, Science, Technology & Climate Change.
 Himachal Pradesh, Shimla-1

M
 Co. Secy
 Acc-T
 13/03/26



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 25
H.P. Forest Department.

Amne x-4-20
282

To

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

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,

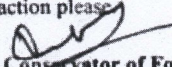
Kindly refer to your office letter No. HPPCB/RO Baddi/Court case (OA No. 137/2024) 2025-1192 dated 13.05.2025 and your office telephonic message on dated 01.07.2025 on the subject cited above.

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

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.

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

Endst. No. 9445-46 Dated, Nalagarh the 11/11 2026.

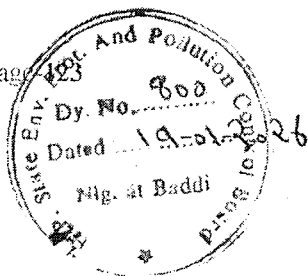
- Copy is forwarded to DC Solan for information and further direction please.
- Copy is forwarded to Chief Environmental Engineer HPSPCB Baddi HP. With letter dated 02.01.2026 for w/a please

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

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19/12/25
Road&buil page

19-12-25





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

5411-19

Dated:- 30-01-2026

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



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".

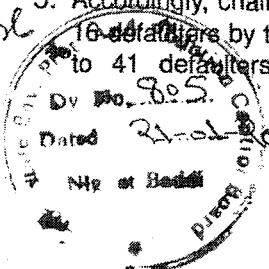
Sir,

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 23.02.2021 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



- ₹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

Annexure-VI

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

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.

क्रमांक: बद्दी /एस.डी.एम./एस.डी.के./2026- 728

कार्यालय उपमंडलाधिकारी (ना.),

बद्दी, जिला सोलन (हि० प्र०)।

दिनांक :- 27/5/ 2026

सेवा में,

उपायुक्त महोदय,
जिला सोलन, हि.प्र।

विषय:-

Regarding procure the land for development of Him Chandigarh at Mauja Baddi Sheetalpur, Tehsil Baddi Distt. Solan H.P.

महोदय,

उपरोक्त विषय पर निवेदन यह है कि आपके कार्यालय से प्राप्त मौखिक आदेशों, के सन्दर्भ में रिपोर्ट तहसीलदार बद्दी पत्र क्रमांक संख्या का.का/बद्दी /2026-750 दिनांक 20/3/2026 प्राप्त हुआ जिसके अवलोकन से पाया गया कि मौजा बद्दी शीतलपुर तहसील बद्दी जिला सोलन हि.प्र.में मॉगी गई सूचना निम्न प्रकार से है:-

1. प्रस्तावित भूमि हि.प्र. विलेज कोमन लैंड एण्ड युटिलाइजेशन एक्ट 1974 के तहत सरकार में निहित हुई है।
2. प्रस्तावित भूमि नंबर खसरा 1/1, 217/2/1 किता 2 ता 535-11-00 बीघा अलॉटिबल पूल में है।
3. पूर्वा की अदला बद्दी ई.म. 2173 तबदीनी पुत्र दिनांक फेसला 13-03-2026 को स्वीकार हो चुका है।
4. प्रस्तावित भूमि राष्ट्रीय मार्ग से 100 मीटर से अधिक दूरी पर है।
5. प्रस्तावित भूमि की औसत किंमत मुताबिक सर्कल रेट लगभग 1,05,49,90,656/- (एक अरब पाँच करोड़ उनचास लाख नब्बे हजार छह सौ छप्पन रुपये) बनती है।
6. प्रस्तावित भूमि TCP के अधीन है।
7. प्रस्तावित भूमि का नकल जमाबन्दी दो परता साथ संलग्न है।
8. प्रस्तावित भूमि हस्तांतरण बारे ब्यान वाशिन्दगान देह साथ संलग्न है।
9. प्रस्तावित भूमि में पेड व पहाड़ की शकल में है।
10. प्रस्तावित भूमि बारे अन्नापति प्रमाण-पत्र वन विभाग, लोक निर्माण विभाग, विद्युत विभाग, जल शक्ति विभाग, बीबीएनडीए, बद्दी संलग्न है। अतः रिपोर्ट तहसीलदार सहित मूल मिसल सहित आगामी कार्यवाही हेतु सादर प्रेषित है।

संलग्न :उपरोक्त

भवदीय,

उपमंडलाधिकारी (ना.),

बद्दी, जिला सोलन (हि० प्र०)



10/3/26

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

Dated: 10-03-2026

To

✓
The Sub Divisional Magistrate,
Baddi, Distt Solan H.P.
(sdmbaddi.solan@gmail.com)

SDM Supdt. 80k
10-03-2026

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 your office letter no. Baddi/SDM/SDK/2026-256 dated 04-02-2026 vide which it was conveyed that the case for finalizing of additional land to be diverted is under consideration. On the basis of reply being submitted, the State Board has filed the reply before Hon'ble National Green Tribunal. As per the orders passed on 12-02-26, the case is further listed for 09-04-26 for final hearing.

In this context, it is requested to provide the present status for transferring of land for construction of Colony at Sheetalpur area so that revised action plan can be prepared by Forest Department and report can be submitted before National Green Tribunal by 15-03-2026.

Yours faithfully,

[Signature]
Assistant Environmental Engineer-I,
HPS PCB Baddi.

Copy to:

1. The Member Secretary, HPSPCB in reference to letter number 17571-572 dated 17-02-26 for information please.
2. The Dy. Conservator of Forests, Nalagarh Forest Division, Nalagarh, Distt. Solan, H.P. (nlgfd1984@gmail.com) with a request to expedite the matter with SDM Baddi and submit the revised proposal so that report can be filed Hon'ble National Green Tribunal accordingly.

पृष्ठांकन: वदती/एराओडीएएम/एन.डी.के./ 745
दिनांक 11/4/2026 मूल रूप में
तहसीलदार को
भेजकर तहसीलदार के अपने
विस्तृत रिपोर्ट को प्रेषित करें।

Assistant Environmental Engineer-I,
HPS PCB Baddi.

उप-निर्देश अधिकारी (ना.)
वदती, जिला सोलन (हि.प्र.)



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)/2026

Dated:- 04-04-26

To

✓ The Member Secretary,
HPSPCB, Shimla.

Sub: Compliance of order dated 12-02-2026 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 orders 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." on dated 12-02-2026 wherein following direction has been issued to the State Board:

- ".....1. Additional report dated 09.02.2026 has been filed by HP SPCB.
2. List on 09.04.2026 for final hearing."

In this context, the matter was taken up with SDM Baddi for submitting the latest report with respect to progress being made in reference to the earlier reply being submitted regarding finalizing of additional land which is to be diverted vide this office letter number 5775-77 dated 03-03-2026 (Copy attached as Annexure-I).

As per the reply received from the Sub Divisional Magistrate, Baddi it has been apprised by SDM Baddi that report regarding changing of pools has been submitted for approval to the Worthy Deputy Commissioner vide their office letter number 728 dated 27-03-2026 for further necessary action please (Copy attached as Annexure-II).

Submitted for further necessary action please.

Encl: As Above

Yours faithfully,

Assistant Environmental Engineer,
HPS PCB Regional Office, Baddi.