

BEFORE THE PRINCIPAL BENCH OF NATIONAL GREEN TRIBUNAL
AT DELHI

ORIGINAL APPLICATION No. 389/2018
[Earlier O.A. No. 237/2013 (THC)]

In the matter of:

Court on its own motion

----- Petitioners

Versus

State of H.P. & Ors.

----- Respondents

I N D E X

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(Vikas Mahajan)
Addl. Advocate General

Place: New Delhi
Date: 29.06.2020

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AT DELHI

ORIGINAL APPLICATION No. 389/2018
[Earlier O.A. No. 237/2013 (THC)]

In the matter of:

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----- Petitioners

Versus

1. State of H.P. Through the Additional Chief Secretary (Forests) to the Government of Himachal Pradesh, Shimla-2.
2. H.P. Pollution Control Board through its Member Secretary, New Shimla.
3. Deputy Commissioner, Kullu, District Kullu, H.P.
4. Principal Secretary (Tourism) to the Govt. of H.P. Shimla.
5. Principal Secretary (Forests) to the Govt. of H.P. Shimla.
6. HIMURJA through its Chief Executive Officer, Shimla.

----- Respondents

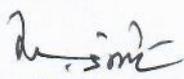
QUARTERLY STATUS REPORT IN COMPLIANCE TO THE ORDERS OF THE HON'BLE NGT DATED 20.11.2017, 09.10.2018 AND IN COMPLIANCE TO THE ORDER DATED 10-10-19 IN O.A. 389/18 [EARLIER 237(THC)/2013]

MAY IT PLEASE YOUR LORDSHIPS:

This Hon'ble Tribunal vide order dated 20.11.2017 had directed the State Government to file quarterly status report on the steps taken for the implementation of the directions passed by the Hon'ble Tribunal and also directed vide order dated 09.10.2018 in O.A. No. 389/18 [earlier 237(THC)/2013] to file periodic reports on the progress made on the implementation of the orders of the Hon'ble Tribunal.

The Hon'ble Tribunal vide order dated 10.10.2019 directed that further Quarterly Status Report may be filed before the Hon'ble Tribunal by e-mail at ngt.filing@gmail.com. Quarterly status report for the previous quarter was filed on 05.02.2020.

ATTESTED


Executive Magistrate
Shimla


Secretary (Env., S&T) to the
Govt. of H.P.
Shimla

The department-wise steps taken/compliance status with respect to implementation of the orders of the Hon'ble National Green Tribunal is submitted as under:

A. Local Administration/ Deputy Commissioner, Kullu

The Deputy Commissioner, Kullu has submitted following status on the implementation of the directions of the Hon'ble Tribunal.

(i) Ropeway from Palchan to Rohtang

The Conservator of Forests, Kullu has informed that Stage-1 Forest Clearance has already been granted by the MoEF& CC, GOI for the diversion of 8.98 ha. of forest land in favour of Manali Ropeway Pvt. Ltd. for the construction of the Palchan- Rohtang ropeway project.

Now the Project Proponent has deposited Net Present value (NPV) and Compensatory Afforestation amount of Rs.1,13,36,324/-as well as amount of Rs. 1,16,35,274/- towards cost of trees and departmental charges with the Forest Department and the case for Stage-II forest clearance has been sent by the Nodal Officer (FCA), Government of HP to the MoEF& CC on 18.01.2020.

The Chief Conservator of Forests (Wildlife) has also informed that on the basis of the proposal prepared *de-novo by the Principal Chief Conservator of Forest (Wild life), Himachal Pradesh* for the declaration of Eco-sensitive Zone in respect of Manali Wildlife Sanctuary, the Ministry of Environment, Forest and Climate Change (MoEF&CC), GOI has placed the Draft Notification in the public domain for a period of sixty days to seek comments and suggestions of the stakeholders and is likely to be notified shortly thereafter.

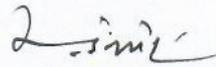
(ii) Construction of Sewage Treatment Plant at Marhi

a) Providing of Sewer Network upto Sewage Treatment Plant (STP) Site

The work was awarded by the I&PH Department to the contractor on dated 27.09.2018 as per the timelines fixed.


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The sewer line of this work has been laid and work for the construction of RCC Chambers has been completed.

b) Providing and setting up of STP at Marhi

The Executive Engineer, Department of Jal Shakti (I&PH), Manali has informed that due to excessive water accumulation at the existing site, the work of construction of STP was hindered and alternative site was finalized. Now, the tender has been awarded and execution of the 20% work for the construction of the STP has also been completed.

The work was stopped initially during the winters and later due to COVID-19. The work could not be executed during lockdown as the contractor belongs to other State. The work shall be restarted immediately after the COVID-19 situation improves.

c) Improvement/Up-gradation of STP at Manali

The Executive Engineer, Department of Jal Shakti (I&PH), Kullu has informed that the Administrative Approval and Expenditure Sanction for Rs. 6.61 crore has been accorded by the Government for the up-gradation of the STP at Manali. Tenders were called twice but these could not be finalized due to single bid. **Now, after calling the tenders again and evaluation of the bids, the tender has been awarded to M/s S.S. Engineering Corporation, Noida (U.P.) on dated 18.05.2020. The contractor has been asked to start the work immediately.**

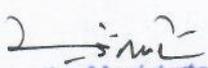
(iii) Development of parking facilities.

The Executive Engineer, PWD has informed that two parking places with adequate parking facilities to cater the present needs have been already developed near Gulaba.

The DTDO, Kullu has informed that an estimate of Rs. 1,04,14,545/- given by the PWD for the development of third parking at Gulaba for 70-80 vehicles has been sanctioned and an amount of Rs. 50.00 Lakhs has been


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released to the Public Works Department (PWD) for the early execution of developing parking at Gulaba.

The PWD has started protection work i.e Construction of Retaining wall, Breast wall, providing and laying stone soling & inter locking paver blocks, Cement concrete pavement & W-Metal beam railing and construction of U-shaped drain and levelling of the ground for the development of parking. The work was stopped due to the Covid-19 lockdown. Now as the relaxation has been given in the lockdown, the work has been restarted and is in progress.

(iv) Construction of Eco-friendly Market at Marhi and allotment of restaurants /shops at Marhi:

The Construction work of Eco-friendly market at Marhi comprising fourteen restaurants have been completed and possession of all these restaurants have been given to the stakeholders through a transparent process.

Construction of two stalls consisting of three shops each has been completed and the possession of the same has also been delivered to the concerned stakeholders.

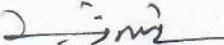
(v) Development of Solid Waste Management Facility at Manali.

The Deputy Commissioner, Kullu has informed that Waste to Energy Facility for the Management of the Solid Waste is being established at the existing site at Rangri in Manali.

First section of the Solid Waste Management Facility for the production of the Refuse Derived Fuel (RDF) has been made fully operational. About 30-35 tonnes of RDF is produced per day which is being further sent to ACC Barmana for co-processing. The process for establishing the second section i.e. Waste to Energy is ongoing and shall be completed shortly. The concessionaire is making efforts to set up second section and has ensured to re-mobilize resources after the COVID-19 situation improves.


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B. Forest Department

(i) Establishment of Nature Park at Gulaba

The Conservator of Forests, Kullu informed that detailed plan for establishment of Nature Park at Gulaba has been prepared. An amount of Rs.35 lakh has been provided for the establishment of this Park.

The tender of fencing and construction of Nature Trail has been processed and execution work of said park has been started and fencing work of the said park has been completed.

C. Transport Department

(i) Operation of Electric Buses

The Transport department has submitted report in compliance to the orders of the Hon'ble National Green Tribunal. The latest status is as follows:-

After the successful trial of operation of electric buses on Rohtang stretch, 25 Electric Buses were procured by the Himachal Road Transport Corporation (HRTC). Seven charging points have been provided at Manali, four at Kullu and four at Mandi for the smooth operation of electrical buses.

50 more electrical buses were purchased during the year 2019-20 for plying in and around Shimla so as to reduce pollution and to promote environment friendly public transport system in Himachal Pradesh. Himachal Road Transport Corporation (HRTC) intends to purchase 100 more electrical buses so as to abate pollution loads and to lower pollution levels in Himachal Pradesh during 2020-21.

(ii) Installation of Weigh- in-Motion Bridge.

The Transport Department has installed Weigh-in-Motion Bridge at Bahang barrier to check the vehicles for overloading. This Weigh- in -Motion Bridge is functional

D. H.P State Pollution Control Board

The Member Secretary H.P. Pollution Control Board has submitted the latest status as follows:

[Handwritten Signature]
Secretary (Env., S&T) to the
Govt. of H.P.
Shimla-175002

ATTACHED

[Handwritten Signature]
Executive Magistrate
Shimla

Ambient Air Quality Monitoring

sr. No.	Location	Date	Time	Results in ug/m ³					
				RSPM	NOx		SO ₂		NH ₃
1.	Bahang	18-04-2020	08:00 AM – 04:00 PM	10.39	BDL	BDL	BDL	BDL	1.65
2.	Bahang	22-04-2020	08:00 AM – 04:00 PM	9.09	BDL	BDL	BDL	BDL	1.29
3.	Bahang	30-04-2020	08:00 AM – 04:00 PM	10.90	BDL	BDL	BDL	BDL	1.03

Ambient Air Quality Monitoring Data of Rohtang Area for the month of April-2020

BDL - Below Detection Limit, Detection Limit for Nox parameter is 9.0 µg/m³, Detection Limit for SO₂ parameter is 4.0 µg/m³

(i) Vehicular emission checking-cum awareness

Camps were organized at Bhang barrier, in association with Transport department & Police authorities on dated 02.03.2020., 09.03.2020 & 18.03.2020 regarding Vehicular emission checking-cum-awareness. The detail of respective vehicle emission checking is as below:-

Date of Inspection	No. of vehicles checked	No. of Vehicles found with PUC/meeting Emission Norms	No. of Vehicles without PUC/ violating Emission Norms
02-03-2020	144	144	Nil
09-03-2020	181	181	Nil
18-03-2020	116	116	Nil

(ii) Sewage Treatment Plant (STP), Manali:

The Regional office, Kullu is inspecting the Sewage treatment plant on monthly basis and also collecting samples which are being analyzed at Regional Laboratory, Sundernagar and results are as below.

Date of collection	BOD (mg/l)	COD (mg/l)	O&G (mg/l)	pH	TSS (mg/l)
04-03-2020	22.0	136.0	2.0	7.15	55.0

(Signature)
Secretary (Env., S&T) to the
Govt. of H.P.
Shimla-171002

ATTE

(Signature)
Executive Magistrate

(iii) Municipal Solid Waste Disposal, Manali:

The Regional office, Kullu is regularly inspecting the solid waste disposal site of Municipal Council, Manaliat Rangree.

PRAYER

It is most respectfully prayed that the present status report may be taken on record and an appropriate order in the interest of justice may be passed.

Secretary (Env. S&F) to the
Govt. of H.P.
Respondent No. 1
Shimla-171002

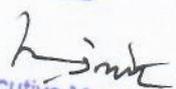
Through

(VIKAS MAHAJAN)

Additional Advocate General

Dated: 29/06/2020.

Shimla.

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Executive Magistrate
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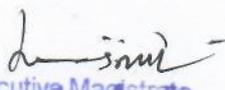
----- Respondents

AFFIDAVIT

I, Rajneesh S/o Sh. R.R. Garg aged 46 years, presently posted as Secretary (Environment, Science & Technology) to the Government of Himachal Pradesh at Shimla, do hereby solemnly affirm and declare on oath as under:

1. That in my capacity as Secretary (Environment, Science & Technology) to the Government of Himachal Pradesh I am competent to swear this affidavit.
2. That the contents of this status report are true and correct to my knowledge derived on the basis of records.

ATTESTED

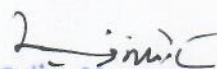

Executive Magistrate
Shimla

VERIFICATION


DEPONENT
Secretary (Env., S&T) to
Govt. of H.P.
Shimla-171002

Verified at Shimla on 29th day of June 2020, that the contents of above status affidavit are correct to best of my knowledge and belief, as derived from official record and nothing material has been concealed there from.

S.No 443/2020
Declared before me this 29th day of June
2020 on oath (solemn affirmation) by
Sh. Rajneesh Secy (Env. Sci Tech) to the
who is personally known to me, or who
has been identified by Sh. to the
who is personally known to me.


Executive Magistrate


DEPONENT
Secretary (Env., S&T) to
Govt. of H.P.
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