

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH
AT NEW DELHI

Original Application No. 461/2025

IN THE MATTER OF:

Ms. Seema Kumari- Pradhan

...Applicant

Versus

State of Himachal Pradesh & Ors.

...Respondents

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Dharamshala

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Distt. Magistrate
Kangra at Dharamshala (H.P.)

FILED THROUGH
COUNSEL FOR THE RESPONDENTS No.1 & 2



ANIL JARYAL
Chamber No.109, Block-03
Delhi High Court.
Email: aniljaryal07@gmail.com

Dated: 26.02.2026

ATTESTED

Oath Commissioner
Dharamshala

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH
AT NEW DELHI
Original Application No. 461/2025

IN THE MATTER OF:

Ms. Seema Kumari- Pradhan

...Applicant

Versus

1. State of Himachal Pradesh, through its Secretary, Department of Environment, Science Technology and Climate Change, Govt. of H.P. Shimla-2.
2. District Magistrate Kangra at Dharamshala District Kangra (H.P.)
3. Himachal Pradesh Pollution Control Board (HPPCB) Through Member Secretary.
4. Radha Soami Satsang Beas (Paror) Tehsil, Palampur District, Kangra, Himachal Pradesh-176060 Through Mr. Harvinder Puri, Area Secretary, Paror.

...Respondents


Distt. Magistrate
Kangra at Dharamshala (H.P.)

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CONSOLIDATED REPLY/ RESPONSE ON BEHALF OF RESPONDENT**NO. 1 & 2.****Respectfully showeth:****PRELIMINARY SUBMISSIONS**

1. That the instant Original Application has been registered by this Hon'ble Tribunal suo-motu on the basis of a letter petition sent by the applicants. The letter petition (OA), relates to alleged illegal expansion work being carried out by Radha Swami Satsang Beas (RSSB), Paraur in Ghaneta, Dhoran, Balla, Paraur and Darang villages located in District Kangra, H.P., causing damage to environment etc.
2. That it is humbly submitted that the spot/site was inspected by the Regional Officer, HPSPCB, Dharamshala alongwith the Joint Committee on 04.11.2025. Pursuant there to, the HPSPCB filed the detailed report of the Joint Committee on 16.12.2025, and the same is on record. The District Administration has actively coordinated with the Sub-Divisional Magistrate, Revenue Authorities, State Pollution Control Board etc. to ensure factual verification and regulatory compliance. It is submitted that the contents of the report of Joint Committee may also be read as part and parcel of this reply.

ALLEGATION REGARDING ILLEGAL AND COERCIVE LAND ACQUISITION AND ILLEGAL EXPANSION

3. The Joint Committee recorded that the project proponent holds approximately 529, 632 square meters of land spread across five villages. The Tehsildar concerned confirmed that all land registrations were carried out in accordance with law in his presence and after verification of the


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willingness of the sellers. No complaint regarding coercion or illegal acquisition was ever brought to the notice of the Revenue Department.

4. That in compliance with the directions issued by the Sub-Divisional Magistrate, Palampur, the concerned revenue officials/Naib Tehsildar, Sullah were directed to carry out demarcation of the relevant Khasra numbers. In this regard, the SDO(C), Palampur, vide letter dated 16.12.2025, reported that a fresh demarcation exercise was initiated on 25.11.2025 and culminated in field verification by the competent revenue officials. The outcome of the fresh demarcation confirmed that no encroachment was found on the subject land. It was further noted that a similar demarcation exercise had also been conducted in the year 2017, wherein no encroachment had been detected. The legal status of the land stands duly reflected in the revenue records. Letter dated 16.12.25 of SDO (C), Palampur annexed as ANNEXURE R-1.

**ALLEGATION REGARDING ILLEGAL AND WIDESPREAD
FELLING OF TREES**

5. That the Forest Department conducted inquiry into the allegation of illegal tree felling. Subsequently, it was found that unauthorized felling had taken place on private land owned by the project proponent.
6. Unauthorized felling of 35 trees within the tea garden area was detected and compounded, and compensation of ₹5,000/- was imposed and realized from the violators/offenders. In another instance, unauthorized felling of 10 trees in Balla area was also compounded, and compensation of ₹2,000/- was imposed and realized.
7. Subsequently, the Divisional Forest Officer, Palampur granted formal permission on 20.03.2025 for felling of 15 trees on private land for development purposes.


District Magistrate
(anagra at Dharamshala (H.P.))

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8. It is worthwhile to mention herein that no illicit felling on forest land was reported or detected by the authorities. The fresh demarcation conducted by revenue officials, in the presence of forest staff, confirmed that there was no encroachment upon forest land.
9. Moreover, as a remedial measure, the Forest Department imposed the condition of Compensatory Afforestation requiring plantation of 350 saplings in lieu of the 35 trees felled unauthorisedly. Compliance is under strict monitoring by the jurisdictional Range Officer. The detailed Forest Department report dated 14.11.2025 is annexed as ANNEXURE R-2.

ALLEGATION REGARDING DAMAGE TO PROTECTED TEA GARDEN

10. The Technical Officer, Tea, Palampur, who was part of the Joint Committee, examined the site and clarified that the activities observed, including pruning and lopping of shade trees, are routine and integral practices in tea cultivation.
11. No damage to any protected tea garden was reported. The expert findings were incorporated in the Joint Committee report. Thus, the allegation was found to be factually unsubstantiated.

ALLEGATION REGARDING ILLEGAL DUMPING OF DEBRIS, DIVERSION OF TAHAL KHAD, AND DAMAGE TO FLOODPLAIN

12. The allegation regarding unscientific dumping of muck and diversion of Taal Khad and Shi Nallah was examined by multiple departments. The Jal Shakti Vibhag reported that earth filling along the left bank of Taal Khad posed risks including sliding of soil, restriction of water flow, pollution, and potential harm to aquatic life. It was also reported that a 150 mm diameter gravity main pipeline of the Lift Water Supply Scheme Jharat

[Signature]
Distt. Magistrate
Kangra at Dharamshala (H.P.)

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Ranjhoo, supplying drinking water to approximately 9,000 inhabitants of 42 villages, was damaged due to the earth fill. The department incurred an expenditure of approximately ₹10 Lakhs to lay a new 700-meter pipeline and restore the scheme.

13. While muck dumping and temporary road formation using hume pipes were observed, no conclusive diversion of the Khad's natural flow was ascertained during inspection. Thus, no kuhl or irrigation channel under the control of Jal Shakti Vibhaag was damaged.
14. The HPSPCB had earlier issued directions vide communication/letter dated 13.08.2025 to the project proponent to stop unscientific dumping and to submit a muck management plan. As the work continued without valid NOC at that stage, the Board initiated action and levied Environmental Compensation of ₹1.00 Lakh for violation of environmental norms and dumping of muck without protective measures, in line with the directions of this Hon'ble Tribunal. A copy of communication/letter dated 13.08.2025 is annexed herewith as **Annexure R-3**.
15. The Jal Shakti Vibhag further provided a working estimate of approximately ₹60 Lakhs to the project proponent for permanent realignment of the pipeline outside the trust's boundaries to prevent future damage. The same has been communicated for necessary compliance.
16. During a subsequent inspection conducted by HPSPCB on 08.01.2026, it was observed that protection works had been initiated at the site. Crate walls were being constructed along the banks of Taal Khad and Shi Nallah to prevent erosion and sliding of muck. Water sprinkling mechanisms were installed for dust control.
17. That a personal hearing of the project proponent was conducted under the Chairmanship of the Member Secretary, HPSPCB on 19.01.2026. During the hearing, it was observed that the project proponent had initiated

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protection works and provided protective measures at the site. In view of the compliance measures undertaken, environmental compensation was not levied at that stage, subject to the condition that no violation of environmental norms shall be committed in future. It is submitted that the HPSECB has issued no objections certificate (NOC), vide letter No. PCB/Non Polluting/RO (D/sala) 2025-6327 dated 21-11-2025 for hill cutting and land levelling at the RSSB site for parking area development during Satsang, subject to compliance with prescribed conditions. The additional report on the current scenario is annexed herewith as **Annexure R-4**, and the NOC letter dated of HPPCB 21.11.2025 is annexed as **Annexure R-5**. The Jal Shakti Vibhag report dated 21.11.2025 is annexed as **Annexure R-6**.

ALLEGATION REGARDING VIOLATION OF TOWN & COUNTRY PLANNING NORMS

18. That with regard to the status under the Department of Town & Country Planning, it has been clarified that certain villages, including Paraur and adjoining areas, fall within the TCP planning area as per notification dated 20.08.2024. It was observed that land cutting/development work had been carried out at Balla without prior approval from the TCP Department. In this regard, the TCP Department issued letters dated 02.09.2025, 01.10.2025, and reminder dated 07.11.2025 directing the project proponent to stop development work and not proceed without prior permission/approval. Subsequently, on 17.12.2025, it has been clearly stipulated by the TCP authorities that prior approval is mandatory before carrying out development works within the planning or deemed planning area, and the proponent has been directed to obtain necessary approval through the prescribed online portal before undertaking construction activities. The District Administration has ensured that no


Distt. Magistrate
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permanent construction is carried out without requisite statutory approvals. Copies of letters/correspondences dated 07.11.2025 and 17. 12. 2025 are annexed as ANNEXURE R-7 (Colly)

ALLEGATION REGARDING CLOSURE OF LOCAL GOVERNMENT ROAD

19. That it has been observed by the Joint Committee that a local footpath/road was temporarily closed due to development activity and that villagers were using an alternate route. Subsequently, the SDM, Palampur directed revenue officials to demarcate the path as per revenue records. The representative of the project proponent agreed to restore the footpath in accordance with the demarcation. The process is ongoing to ensure restoration of right of way to the villagers.

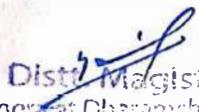
20. It is respectfully submitted that the Respondent authorities, acting in compliance with the orders of this Hon'ble Tribunal, conducted a thorough multi-departmental investigation into each allegation and where the violations were detected, the concerned departments have taken prompt remedial and punitive action. The District Administration continues to monitor compliance and remains committed to enforcement of environmental safeguards in accordance with law.

PRAYER

In view of the above, it is most respectfully prayed that this Hon'ble Court may kindly take the reply/response of the answering respondents on record and/or pass any other order/s or direction/s that this Hon'ble Tribunal may deem fit in the facts and circumstances of the case.

Distt. Magistrate
Kangra & Dharamshala (H.P.)

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Oath Commissioner
Dharamshala


Distt. Magistrate
Kangra at Dharamshala (I.P.)

FILED THROUGH
COUNSEL FOR THE RESPONDENTS No.1 & 2



ANIL JARYAL
Chamber No.109, Block-03

Dated: 26.022026

Delhi High Court.

Email: aniljaryal07@gmail.com

ATTESTED


Oath Commissioner
Dharamshala

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH
AT NEW DELHI

Original Application No. 461/2025

IN THE MATTER OF:

Ms. Seema Kumari- Pradhan

...Applicant

Versus

State of Himachal Pradesh & Ors.

...Respondents

Affidavit in support of reply to the O.A. No. 461/2025 on behalf of respondents no. 1

I, Hemraj Bairwa son of Sh. Ramkaran Bairwa, Aged 39 years, presently posted as Deputy Commissioner, Kangra at Dharamshala do solemnly hereby declare on oath as under:-

1. That the accompanying reply to the O.A. has been prepared at my instance and under my instructions.
2. That the contents of reply are true and correct to the best of my knowledge and information derived from the official record. No part of its false and nothing has been concealed there from.



ATTESTED
S
Oath Commissioner
Dharamshala

[Signature]
Deponent
Distt. Magistrate
Kangra at Dharamshala (H.P.)

Verification:-

That the deponent further declares that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing has been concealed there from.

Verified at *Dharamshala* this 26 day of 02, 2026

[Signature]
Deponent
Distt. Magistrate
Kangra at Dharamshala (H.P.)

Certified that the this affidavit has been read over and explained in vernacular/English to Hindi to Sh. *Hemraj Bairwa* Deponent who seems to have perfectly understood the same & has signed making thereof.
Oath Commissioner *S*

Certified that the above was declared on oath/solemn affirmation before me at *Dharamshala* this day of 26.02.2026. by Smt./Mr. *Hemraj Bairwa* deponent, who is personally known to me/identified by S. *Rakesh* who is personally known to me.
Oath Commissioner *S*

No. *3017* Date *26.2.26* Time *11:27 AM*
Deponent is identified by Sh. *Rakesh*
[Signature]
Identifier Oath Commissioner *S*

Annexure A-1**Office of the Sub Divisional Officer (c) Palampur Distt Kangra H. P.**

No 1529 /SDK

Dated 16/12/2025

To

Assistant Environmental Engineer
HPSPCB Dharamshala .Subject:- Complaint regarding illegal land encroachment ,environmental
damage,deforestation and interference in the flood plain of Tahal
Khad by Radha soami Satsang Beas Sanstha,

Sir,

Kindly refer on the subject cited above. In this context, it is submitted that ,the enquiry has been got done through Naib-Tehsildar Sullah .The report submitted by Naib-Tehsildar Sullah, as per the present record and field verification, no encroachment by Radha Swami Satsang Beas, Parour on the adjoining forest area has been detected. In order to reaffirm the existing ground position, a fresh demarcation exercise was initiated on 25.11.2025 and carried out thereafter, culminating in field verification by the revenue officials. The outcome of the said fresh demarcation confirms that no encroachment has been found. It is further noted that a demarcation exercise had also been conducted earlier in the year 2017, wherein no encroachment was detected at that time as well. The legal status of the land is duly reflected in the revenue records.

Therefore. The complete report submitted by Naib-Tehsildar Sullah is forwarded to your good office for further necessary action.

Encl. as above.

Yours faithfully,

Sub Divisional Officer (c)

Palampur Distt Kangra H. P.

Kangra Distt Kangra (H.P.)

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Superintendent Grade - I
O/o Deputy Commissioner
Kangra at Dharamshala

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ANNEXURE - 2



**OFFICE OF DEPUTY CONSERVATOR OF FOREST,
PALAMPUR FOREST DIVISION, PALAMPUR, HP, 176061
Phone No. 01894-232630 & Fax No. 232764, e-mail-dfoplphp@gmail.com**

No. 3727/19
HP Forest Department
Dated: Palampur, 19/11/2025

From Dy. Conservator of Forests
Palampur Forest Division
Palampur

To The HP State Pollution Control Board
Him Parivesh Bhawan, Regional Office Dharamshala
Near GSSS Dari, Tehsil Dharamshala
District Kangra (H.P.)

Subject: Original Application No. 461/2025 titled as Ms. Seema Kumari, Pradhan Gram Panchayat Ghaneta & Others Vs State of H.P.

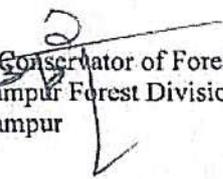
Sir,

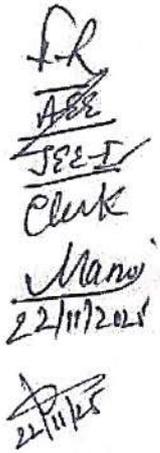
This is with reference to your office letter No. PCB/Court Case File/PF/25/5908-18 dated 31.10.2025 on the subject cited above.

The detailed action taken report in respect of the Forest Department is enclosed herewith for favour of information and necessary action.

Yours faithfully,

Encl: As above

By: 
Dy. Conservator of Forests
Palampur Forest Division
Palampur


S.E.I.
Clerk
Manoj
22/11/2025

Dharamshala
1406
22/11/2025

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Superintendent Grade - I
O/o Deputy Commissioner
Kangra Dt Dharamshala

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Site Visit of Radha Swami Satsang Beas, Parour on 04.11.2025
 (By the Committee Constituted by the Deputy Commissioner, Kangra —
 Report on behalf of Forest Department)

In compliance with the directions of the Deputy Commissioner, Kangra, a joint site inspection of *Radha Swami Satsang Beas, Parour* was conducted on 04.11.2025 by the committee constituted for the purpose, along with officials of the Forest Department, Palampur Forest Division. The inspection was carried out to verify complaints and observations pertaining to unauthorized felling of trees and possible encroachments on forest land. The following issues were examined during the site visit:

1. Unauthorized tree felling on private land.
2. Encroachment on forest land.
3. Illicit tree felling on forest land.

The point-wise status report on behalf of the Forest Department is detailed below: -

Point No. 1: Unauthorized Tree Felling on Private Land.

Complaints regarding unauthorized felling of trees in the *Patiyala Tea Estate* falling within Dhoran and Drang areas were received in the office of the Divisional Forest Officer, Palampur, through the following resolutions:

1. Gram Panchayat Dhoran vide Resolution No. 27 dated 15.07.2024
2. Gram Panchayat Ghaneta vide Resolution dated 16.07.2024
3. Gram Panchayat Drang (Resolution no. nil dated nil).

A detailed field inspection was conducted by the Block Officer, Panaper, wherein it was observed that unauthorized felling of 35 trees of various species and girths had been carried out within the tea garden area without obtaining prior approval from the competent authority. The cognizance of this felling has already been taken by the field staff and two Damage Reports had already been prepared in this regard:

- Damage Report No. 835/087, dated 07.06.2024 – involving 15 trees.
- Damage Report No. 835/089, dated 11.07.2024 – involving 20 trees.

Both cases were compounded under the provisions of the Himachal Pradesh Land Preservation Act, 1978, and total compensation of ₹5,000/- was realized from the offenders and deposited in the government treasury.

Subsequently, another instance of unauthorized tree felling was reported from the Balla area, where earth-cutting and levelling work was being undertaken by *Radha Swami Satsang Beas, Parour*. Accordingly, Damage Report No. 834/085, dated 10.02.2025, was prepared for unauthorized felling of 10 trees. The case was compounded, and a compensation of ₹2,000/- was realized and deposited in the treasury. A complaint in the same matter dated 14.05.2025 from the President, Gram Panchayat Ghaneta (vide letter dated 08.05.2025) was received in the Divisional Forest Office, Palampur, concerning unauthorized felling on private land. The matter was re-examined by the Range Forest Officer, Palampur, and it was confirmed that necessary action under the *Himachal Pradesh Land Preservation Act, 1978* had already been initiated by the Department. Subsequently, formal permission for felling 15 trees of various species and girths for developmental purposes on their private land (Mihal Balla) was granted to the Area Secretary, *Radha Swami Satsang Beas, Parour*, vide DFO Palampur Letter No. Sale/C.VII.4/PLP/4251/G dated 20.03.2025.

In addition to the above, as a remedial and compensatory measure, the Forest Department imposed a condition of Compensatory Afforestation (CA) requiring the plantation of 350 saplings in lieu of 35 trees felled unauthorizedly within the premises

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Superintendent Grade - I
 O/o Deputy Commissioner
 Kangra - Dharamshala

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of *Radha Swami Satsang Beas, Parour*. The compliance of the same is being ensured by the jurisdictional Range Officer.

Point No. 2: Encroachment on Forest Land

The main complex of *Radha Swami Satsang Beas, Parour* lies adjacent to notified forest land. A joint demarcation of the forest boundary was earlier carried out on 26.05.2023, which confirmed that no encroachment existed by *Radha Swami Satsang Beas* on forest land at that time. To reaffirm the present ground situation, a fresh demarcation exercise has been scheduled for 30.11.2025. As per the present record and field verification, no encroachment by *Radha Swami Satsang Beas, Parour* on adjoining forest land has been detected so far.

Point No. 3: Illicit Tree Felling on Forest Land

No instance of illicit tree felling by *Radha Swami Satsang Beas, Parour* on forest land has been reported or detected to date.

Based on the inspection and scrutiny of available records, it has been confirmed that unauthorized tree felling was confined to private land and has been duly dealt with under the Himachal Pradesh Land Preservation Act, 1978. No encroachment on forest land by *Radha Swami Satsang Beas, Parour* has been observed during joint demarcation which was carried out on 26.05.2023 and no instance of illicit felling on forest land has been detected. The organization has been directed to ensure full compliance with Compensatory Afforestation norms. The Department has ensured compensatory afforestation of 350 saplings to offset the unauthorized felling of trees. The forthcoming joint demarcation scheduled for 30.11.2025 will reconfirm boundary positions and prevent any future encroachments. Continuous monitoring will be undertaken by the Range Forest Officer, Palampur, to ensure that no further violations occur.

Deputy Conservator of Forests
Palampur Forest Division,
Palampur, Distt. Kangra (HP).

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Superintendent Grade - I
O/o Deputy Commissioner
Kangra at Dharamshala

Annexure R-3

Regd. Post



HP STATE POLLUTION CONTROL BOARD
 "Him Parivesh Bhawan", Regional Office Dharamshala,
 Near GSSS, Dari, Tehsil Dharamshala, Distt.-Kangra (H.P.). -176057
 Phone No. 01892-222628
 Website: <http://hpspcb.nic.in> e-mail: pcbrogassur@gmail.com

No: PCB/ Public complaint/RO Dharamshala/ 2025-2547 Dated: 13/08/2025
 To

The Radha Swami Satsung Vyas,
 Parour,
 Tehsil Palampur, Distt. Kangra, HP

Subject: - Directions under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

Whereas, a letter has been received in this office through email from the O/o Member Secretary, HPSPCB Shimla through O/o Additional Secretary, Department of Environment, Science & Technology & Climate Change, Govt. of HP from Mrs. Seema Kumari and others Village Dhaneta, PO Darang, Tehsil Palampur, Distt. Kangra, HP regarding Air and water pollution created by Radha Swami Satsung Vyas, Parour. In this regard, the inspection of the above referred site of Radha Swami Satsung Vyas, Parour was conducted by the official of this office on date: 01/08/2025. During the inspection, it was observed that Radha Swami Satsung Vyas has excavated/lifted the muck by cutting of hill by using poelain machines and trucks and has dumped the muck along the Taal Khad without any protection wall. Muck is found rolled down towards the water stream of Taal khad and due to rains it may contaminate the quality of water of Taal khad or may choke the water stream in rainy season and may also affect the water schemes of Jai Shakti Vibhag downstream.

Whereas, the facts stated above tantamount to violation of the provisions contained in Section 24, 25 26 & 33 of the Water (Prevention and Control of Pollution) Act, 1974 & Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 constituting a cognizable offence punishable under the aforesaid Act;

Further as per the directions issued by Hon'ble NGT in Original Application No. 603/2019, order dated: 26.02.2020 stating that:

1. Not to dump debris along the Hill slope in view of no protection measures and provide protection measures along the Road.
2. Submit Action Plan for Muck management, which is arising due to Construction of Road.
3. Not to practice further excavation till proper designated dumping site is identified since existing site is not suitable having steep slope.

In the said matter Hon'ble NGT has also directed to levy Environmental Compensation (EC) on the defaulting concerned contractor.

However as per the Hon'ble NGT order dated: 29.07.2013 in O.A. No. 256 of 2013 titled Abhishek Rai V/s State of HP. &Ors. relevant extract of the order is reproduced here as under:

"...Whosoever is found to be throwing or dumping any such material, effluent etc directly or indirectly into the river Beas or its tributaries or even at its banks, will have to pay a sum of Rs. 1.00 lakh as compensation for causing pollution on the basis of the polluter pays principle..."

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 O/o Deputy Commissioner
 Kangra, Dharamshala

Further in reference to the Hon'ble High Court order dated: 13/01/2023 passed in CWPIIL 13/2021 titled Kusum Bali Vs State of HP & Ors, wherein it was stating that:

"... (vii) We direct that there shall be no cutting of hills in the entire State of Himachal Pradesh, unless permission is obtained from the Director, who shall call for a report and "No Objection Certificate" from the Pollution Control Board, before granting such permission..."

"... (ix) Till the model plan(s) and development plan(s) in terms of the above direction are prepared and approved, the limitations/restrictions laid down in Section 30-A of the H.P. Town and Country Planning Act read with Rule 18 and Appendix 8 of the Rules shall operate even in areas of the State which are outside/beyond the planning areas and special areas..."

Whereas the Hon'ble NGT in OA no. 593/2017 titled Paryavaran Suraksha Samiti w/s UoI, dated 19.02.2019 has approved the regime for Environment Compensation against all the violating units on the basis of Polluter Pays Principle. The formula was devised by CPCB. The formula is primarily based on the Pollution Index (PI) of the concerned sector for levying environmental compensation on a defaulting industry which is as under:

$$EC = PI \times N \times R \times S \times LF$$

Now, therefore, in exercise of the powers conferred under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Pollution & Control of Pollution) Act, 1981 and in consideration of the facts stated above, the H.P. State Pollution Control Board hereby directs you to Show Cause returnable within 5 days as to why

- (iii) Environment Compensation should not be imposed against you in reference to Hon'ble NGT order vide OA no. 593/2017 titled Paryavaran Suraksha Samiti w/s UoI for the violation.
- (iv) Penal and legal actions stated above should not be initiated against you for the above mentioned violation.

In view of above facts, Radha Swami Satsang Vyas, Parour is directed to submit Action Plan for Muck management which is arising due to hill cutting, not to dump any kind of muck along the Tael khad without any protection wall, not to carry out further excavation till proper designated dumping site is identified, apply for No Objection Certificate of the State Board and submit compliance report to this office within 05 days positively, please.

Varun Gupta
Er. Varun Gupta

Assistant Environmental Engineer
HPSPCB Dharamshala

Copy to:

1. The Member Secretary, HPSPCB Shimla for information and necessary action please.
2. The Deputy Commissioner, Kangra at Dharamshala for information and necessary action please.
3. The Sub-Divisional Magistrate, Palampur for information and necessary action please.
4. The Project Officer, Town And Country Planning Palampur for information and necessary action please.
5. Mrs. Seema Kumari and others Village Dhaneta, PO Darang, Tehsil Palampur, Dist. Kangra, HP in reference to your complaint dated: 26/05/2025 for information please

Attested to be true copy

[Signature]
Superintendent Grade - I
O/o Deputy Commissioner
Kangra at Dharamshala

Varun Gupta
Er. Varun Gupta

Assistant Environmental Engineer
HPSPCB Dharamshala

Annexure R-4

Report on current scenario on the observations made by Joint committee constituted in the matter of OA No. 461/2025; Ms. Seema Kumari, Pradhan, Gram Panchayat, Ghaneta & Ors. Versus State of Himachal Pradesh & Ors. in compliance to the orders of Hon'ble National Green Tribunal dated 14/10/2025.

1. In view of the directions passed by Sub-Divisional Magistrate, Palampur to the revenue officials to carry out demarcation of the concerned Khasra numbers within one month:

In this regard, the report has been received from SDO(C) Palampur vide letter no: 1529/SDK, dated: 16/12/2025 informed that:

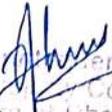
"In order to reaffirm the existing ground position, a fresh demarcation exercise was initiated on 25.11.2025 and carried out thereafter, culminating in field verification by the revenue officials. The outcome of the said fresh demarcation confirms that no encroachment has been found. It is further noted that a demarcation exercise had also been conducted earlier in the year 2017, wherein no encroachment was detected at that time as well. The legal status of the land is duly reflected in the revenue records."

The copy of report is enclosed herewith as Annexure-I.

2. Radha Swami Satsang Beas, Parour is changing the direction of Tahal khad as well as Shi nallah by dumping muck along the banks and has provided temporary road over the khad and nallah by using cement hume pipes for the flow of water:

The latest/fresh inspection of the unit (site development) was again conducted by the State Pollution Control Board on date: 08/01/2026 to check the compliance of the directions issued by SPCB earlier and in compliance to a letter received in this office from the Head Office vide letter no. PCB-OA No. 461/2025-14618, dated: 29/12/2025 w.r.t. OA no. 461/2025, titled as Seema Kumari & ors. Vs State of HP & ors., before the Hon'ble NGT, Delhi. During the inspection, it was observed that the excavation of the muck by cutting of hill by using poclain and JCB machines is still in progress and trucks/tractors are used for transportation of muck from one location to other within their site and has filled the muck along the bank of Taal Khad and adjoining to the banks of Shi nallah, for which they have provided the protection wall by means of crate wall on some portion of site along the Taal khad and Shi nallah and the work for providing the protection wall by means of crate wall on the bank of Taal khad on rest of the site is also going on. Further it is also informed by the representatives of the Radha Swami Satsung Beas, Parour that they are using this muck generated from the hill cutting for site development and going to make a parking space/area in the alleged site. It was also informed that the protection walls are being provided in the areas where muck is to be filled for development of parking area and it is a continuous ongoing work. For the control of dust emission due to the plying of vehicles on internal roads

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Supd.  - I
O/o I. Commissioner
Kangra at Dharamshala

and by cutting of hill in the alleged site, they have provided tankers alongwith tractor for sprinkling of water in the alleged site.

Further the personal hearing of M/s Radha Swami Satsang Beas, Parour tehsil Palampur, Distt. Kangra, HP has been conducted under the Chairmanship of Member Secretary, HPSPCB Shimla on date: 19/01/2026. During the hearing, it was decided that unit has initiated the protection works at the site and has provided adequate protective measures. In view of compliance made by Radha Swami Satsang Beas, the proposed Environmental compensation is not levied at this stage subject to the condition that Radha Swami Beas Shall not commits any violation of Environment norms in future.

Further SPCB has already issued the NOC for the hill cutting and leveling of the land of RSSB, Paror for the development of parking area for Satsang programme. The copy of NOC is enclosed herewith as **Annexure-II**.

3. The representatives of the Department of Town and Country Planning (TCP) informed that out of 05 mohal: namely Ghaneta, Dhoran, Balla, Paraur and Darang villages of Kangra district, wherein Balla, Paraur and Darang villages falls under TCP area. A report was sought in this regard from TCP:

RSSB, Parour has submitted a copy of NOC issued by TCP for leveling of new land, wherein it has been mentioned that the approval from TCP is mandatory before carrying out development work within planning area and Deemed planning area and RSSB has been intimated to apply for the prior approval through online web portal before carry out the construction. However, no report in this regard submitted by TCP. The copy of NOC from TCP is enclosed herewith as **Annexure-III**.


Asstt. Environmental Engineer
HP State Pollution Control Board
Him Parivesh Bhawan, Dari
Dharamshala, Distt. Kangra (H.P.)

Attested to be true copy


Superintendent Grade - I
Off. Secy, Commissioner
Kangra at Dharamshala

Annexure R-5

H.P. STATE POLLUTION CONTROL BOARD
"Him Parivesh Bhawan", Regional Office Dharamshala
Near GSSS, Darl, Tehsil Dharamshala, Distt.-Kangra (H.P.),
PIN 176057 Phone No. 01892-222628

Website: <http://hppcb.nic.in> e-mail: pcbrajassur@gmail.com

No: - PCB/Non Polluting /RO (D/sala)/2025- 6327 Dated: 21/11/2025
 To

Sub: - **NO Objection Certificate regarding the hill cutting and leveling of the land of RSSB, Paror, for the purpose of developing Parking area for Satsang Programme.**

Sir,

With reference to the letter no. HP/012/001/Development Work/Darang/2025/250722, dated 01.11.2025 received on date: 03.11.2025 from Area Secretary, Radha Soami Satsang Beas, Paror, Kangra, H.P. vide which they have applied for NOC for hill cutting & leveling of the land in Khagra No. 264, 579, 581, 2813/582, 2814/582, 2815/588, 2816/588 and 590 situated at Village Balla, Sub Tehsil Sullah, Distt. Kangra, H.P. as per order dated 13.01.2023 passed by Hon'ble High Court of HP in CWIPL No. 13/2021 titled Kusum hali V/s State of HP & ors. The State Pollution Control Board has no objection for the development of said land subject to the following conditions:

- i. Prior consent of the State Board shall be obtained before undertaking any steps to establish the project under Water Act, 1974 and/or Air Act, 1981, as the case may be.
- ii. Transfer/ development of land shall be governed only by the regulations and provisions prescribed by Revenue/Forest Department and this NOC alone shall not entitle the applicant to purchase/acquire/develop the land.
- iii. NOC so issued shall not confer any right on the applicant to start the development/establish the project unless the Revenue/Forest Department has actually allowed the acquisition of land.
- iv. This NOC is subject to prior forest clearance, if any required.
- v. The proponent shall maintain noise level equal to or less than the standard prescribed under Env. Protection Rules, 2016 for sensitive areas near its boundary walls.
- vi. The project proponent shall provide proper scientific system for the disposal of domestic effluent, kitchen waste water and Municipal Solid Waste, if any.
- vii. During the leveling if any muck is generated, the same should be stored/stacked/back filled scientifically alongwith the provision of toe walls, as required.
- viii. Unit should adopt all necessary pollution control measures for mitigation of air, noise and water pollution apprehended due to the hill cutting/leveling of land and construction of car parking by project proponent.
- ix. NOC does not preclude the proponent to obtain structural/soil stability certificates of concerned agencies/seek environment clearance of competent authority or NOC of other concerned stake holder departments viz T&CP, SDMA Forest department etc.
- x. The Board's permission may not be construed as blanket approval for construction/land development activity by any project.
- xi. The NOC of the State Board shall not be construed as a substitute for mandatory clearances required for the project under any other law/regulation/order and the applicant/project proponent shall obtain such mandatory permissions before taking any steps towards construction of the project.

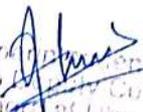
Yours faithfully,

Signed by Varun Gupta

Date: 21-11-2025 17:24:38

Er. Varun Gupta
 Asstt. Environmental Engineer,
 HSPCB Dharamshala

Attested to be true copy

Supd. 
 O/o 
 Kangra at Dharamshala

Himachal Pradesh
Jal Shakti Vibhag

No. EE/JSD/THL/Steno/OA No. 461/2025/2025- 9800-01

Dated: 21-11-2025

To

The Assistant Environmental Engineer,
H.P. State Pollution Control Board,
Dharamshala,

Subject:

Original Application No. 461/2025 titled as Ms. Seema Kumari, Pradhan, Gram Panchayat Ghaneta & Ors. Vs State of H.P.

The required report on the subject cited matter as per the Joint Inspection of the site in question on dated 04.11.2025 and thereafter is as under:

1. **Illegal construction in the flood plain of Tehal Khad.**

The trust has taken up massive filling along the left bank of Tehal Khad which is likely to cause sliding of the loose earth in case of heavy rains. The trust has started construction of crate work at various points of Tehal Khad along the site in question without getting the design and drawings approved from the Nodal Agency in case of flood works in the state i.e. Jal Shakti Vibhag.

Jal Shakti Vibhag be associated during demarcation of the trust property boundaries along the Tehal Khad so that any encroachment of Flood plain of Tehal Khad can be ruled out.

2. The earthfill if not retained properly will finally slide into the river restricting the water way, polluting the water and causing damage to aquatic life as well and can erode the opposite bank of the river causing damage to property both public and private.

3. No Kuhl or irrigation channel under the control of Jal Shakti Vibhag has been damaged.

4. Gravity main pipe line of 150 mm diameter of Lift Water Supply Scheme Jharet Ranjhoon that had been laid 20 years back and caters to the drinking water needs of nearly 9000 habitants of 42 villages covered by the scheme, was severely damaged and became defunct beyond repair or recovery due to tonnes of earthfill over the alignment of main gravity pipe. Jal Shakti Vibhag department had to lay afresh GI Pipe-150 mm diameter of 700 meter (approx) to make the scheme functional and an expenditure of nearly 10 Lakhs was incurred to restore the scheme. It is likely that the pipe line will be damaged in near future due to cutting filling of earth at site and will need again realignment out of the boundaries of the trust campus for which a working estimate of nearly 60.00 Lakhs has been provided to the trust area authorities to deposit with Jal Shakti Vibhag in public interest.

This is for information and further necessary action in the matter.

HPSPCB Dharamshala
By No. 492
Date: 01/11/2025
Copy to the Sub-Divisional Magistrate (SDM), Palampur, District Kangra, H.P.

Executive Engineer,
Jal Shakti Division, Thural.

Attested to be true copy

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Executive Engineer,
Jal Shakti Division, Thural.

Superintendent Grade - I
O/o Deputy Commissioner
Kangra at Dharamshala

**TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH**

No. SDTP0 (PLP) T-58 (Vol.-VIII)/2025-43-46

Dated: 7/11/25

To

The Sub-Divisional Officer (C),
Palampur, Tehsil Palampur,
District Kangra, H.P.

Subject:-

**Original Application No. 461/2025 titled as Ms. Seema Kumari,
Pradhan, Gram Panchayat Ghaneta & Ors. V/s State of H.P.**

Reference:-

**HPSPCB Dharamshala letter No. PCB/Court Case File/PF/25-
5908-18 dated 31.10.2025.**

Madam,

'Jai Hind'

H.P. Dharamshala
13/12
13/11/2025

On the subject cited above and letter under reference, it is submitted that Palampur Planning Area was constituted under Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) vide H.P. Govt. Notification No. PBW-(B&R)(B)26(2)-86 dated 01.05.1986. The Palampur Planning Area initially consisted of 26 Revenue Mohals but in the year 1998, area was reduced and revised Planning Area was constituted which included only 14 Revenue Mohals. Thereafter, in the year 2001, 13 additional revenue Mohals were included in Palampur Planning Area bringing the total number of included mohals to 27.

Recently, the extent of Palampur Planning Area has been further increased by inclusion of 76 Revenue Mohals vide Notification No. TCP-F05/5/2023 dated 20/08/2024, and the total number of Revenue Mohals falling under the Planning Area are 103 at present (copy enclosed)

With reference to the above-cited subject, it is submitted that as per the complaint, the unauthorized development/excavation work is being done by Radha Swami Satsang Beas (RSSB) Parour in Ghaneta, Dhoran, Balla, Parour and Darang villages. It is further submitted that Revenue Mohals Drang Khas (hadbast no. 49), Parour Khas (hadbast no. 58) and Balla (hadbast no. 57) in Sub-Tehsil Sullah have been included in Palampur Planning Area vide afore-mentioned notification dated 20/08/2024. Further, as per H.P. Govt. notification dated 09/12/2024, the Himachal Pradesh Town and Country Planning Act, 1977 has been amended and as per newly inserted section-1(3B), the act shall now apply to "all buildings or projects having plot area of more than 1000 sqmtr. to be developed on any area outside the notified Planning Areas or Special Areas constituted under this Act" (copy enclosed)

It is further submitted that site under reference has been inspected by an official of this office on dated 19.08.2025 and it was observed that the land-cutting work in Revenue Mohal Balla (hadbast no. 57) Sub-Tehsil Sullah, Distt. Kangra had been carried out by RSSB Parour. Accordingly, letters were issued by this office vide letter nos. SDTP0

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Superintendent Grade - I
O/o District Commissioner
Kangra at Dharamshala

(PTO)

(PLP) T-58 (Vol- VIII)/2025-445-46 dated 02.09.2025 and SDTPO (PLP) T-58 (Vol- VIII)/2025-449 dated 01.10.2025 to RSSB Paror (copy enclosed) intimating the body to not carry out any development work without prior permission from this department. A reminder in this regard has again been issued to RSSB Paror dated 07/11/2025 (copy enclosed).

This is submitted for your kind information and necessary action, please.

Encl: As above.

Yours faithfully,

Assistant Town Planner,
Sub-Divisional Town Planning Office,
Palampur, District Kangra, H.P.
Ph. No. 01894-230184

Copy to: -

- The Director, Town and Country Planning Department, Shimla, HP for information, please.
- The Town and Country Planner, Divisional Town Planning Office, Dharamshala for information, please.
- ✓ Assistant Environmental Engineer, H.P. State Pollution Control Board Regional Office Dharamshala, Him Parivesh Bhavan near GSSS Dari, Tehsil Dharamshala, Distt. Kangra-176057 for information, please.

Assistant Town Planner,
Sub-Divisional Town Planning Office,
Palampur, District Kangra, H.P.

Attested to be true copy

Supernumerary Grade - I
O/o Deputy Commissioner
Kangra at Dharamshala



TOWN AND COUNTRY PLANNING DEPARTMENT
HIMACHAL PRADESH

No. SDTPO (PLP) T-58 (Vol.-VIII)/2025-723

Dated. - 17/12/25

To

The Radha Swami Satsung Vyas, Parour,
Tehsil Palampur, Distt. Kangra, H.P

Subject.- Request for NOC for Leveling of New Land at RSSB Paror.

Reference.- Your E-Mail received in this office on dated 16.12.2025.

With reference to your above mentioned letter it is intimated before carrying out development work within Planning Area and Deemed Planning Area (As notified by the GoHP), the approval from Town and Country Planning Department is mandatory, therefore you are intimated to apply for the prior approval through online web portal (<https://hptcp.hp.gov.in>) under Form No.12 of the HPTCP Act, 1977 before you carry out the construction.

This is submitted for your information and necessary action, please.

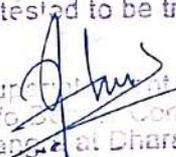

Planning Officer,
Sub- Divisional Town Planning Office,
Palampur, Tehsil Palampur,
District Kangra H.P.

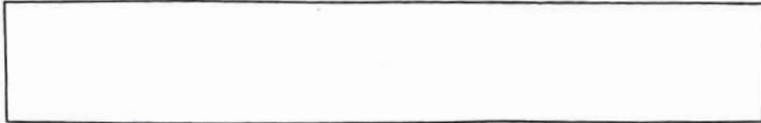
Copy to. -

- The Town and Country Planner, Divisional Town Planning Office, Dharamshala, for information and further direction. Please.

Planning Officer,
Sub- Divisional Town Planning Office,
Palampur, Tehsil Palampur,
District Kangra H.P.

Attested to be true copy


Supervisor Grade - I
Office of the Commissioner
Kangra at Dharamshala



IN THE COURT OF HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH - DELHI

Suit/Appeal No. OA - 461/2025 JURISDICTION OF 201

In re:-

SEEMA KUMARI PRADHAN - PRESIDENT & ORS
Plaintiff(s) or Petitioner(s)
Appellant(s) Complainant(s)

VERSUS

STATE OF HP & ORS.
Defendant(s) / Respondent(s) / Accused Know all to whom
these Present shall come that I/we HEMRAJ BAIRWA, S/O R. BAIRWA, AGED 39 YRS,
RESIDING AS D.C. KANGRA, DHARAMSHALA - H.P.
The above named RESPONDENT NO. 2.

.....do hereby appoint
ANIL JARYAL, ADV, D/3587/16.

Ch- 109, BLOCK - 03, DELHI HIGH COURT
(herein after called the advocate/s) to be my / our Advocate in the above - noted case authorize him:-
9871277207.

To act, appear and plead in the above-noted case in this court or in any other court in which the same may be tried or heard and also in the appellate court including High Court subject to payment of fees separately for each court by me/us.

To sign file, verify and present pleadings, appeals cross-objection or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences of disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution on the said case.

To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/we undersigned to hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purpose.

And I/we undertake that I/We or my/our duly authorized agent would appear in court on all hearings and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he shall receive and retain for himself.

And I/we undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settle is only for the above case and above Court. I/We hereby agree that once the fee is paid, I /We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 26/02/2026 Day of February 201 Accepted subject to the terms of the fees.

Advocate

Anil Jaryal
D/3587/16
ANIL JARYAL
ADV.

Client

Client

I identify the Signature/Thumb Impression of Below Mentioned Person,

Signed in My Presence. The Client.

Deputy Commissioner
Kangra at Dharamshala (H.P.)



IN THE COURT OF HON'BLE NATIONAL GREEN TRIBUNAL, NEW DELHI

Suit/Appeal No. OA - 461 / 2025 JURISDICTION OF 201

In re:-

SEEMA KUMARI PRADHAN - PRESIDENT & ORS. Plaintiff(s) or Petitioner(s) Appellant(s) Complainant(s)

VERSUS

STATE OF HP & ORS. Defendant(s) / Respondent(s) / Accused Know all to whom these Present shall come that I/we SATPAL DHIMAN, ADDL. SECRETARY, ENV. & TECH & CC, GOVT OF HP, ON BEHALF OF SECRETARY - ENV.

The above named RESPONDENT NO. 1

do hereby appoint

ANIL JARYAL, ADV, D/3587116. Ch-109, Block-03. - DMC - 110003. # 9871277207 (herein after called the advocate/s) to be my / our Advocate in the above - noted case authorize him:-

To act, appear and plead in the above-noted case in this court or in any other court in which the same may be tried or heard and also in the appellate court including High Court subject to payment of fees separately for each court by me/us.

To sign file, verify and present pleadings, appeals cross-objection or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences of disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution on the said case.

To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/we undersigned to hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purpose.

And I/we undertake that I/We or my/our duly authorized agent would appear in court on all hearings and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he shall receive and retain for himself.

And I/we undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settle is only for the above case and above Court. I/We hereby agree that once the fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 26-02-2025 Day of 2025 Accepted subject to the terms of the fees.

Advocate

Client

Client

I Identify the Signature/Thumb Impression of Below Mentioned Person,

Signed in My Presence, The Client. Department of Environment, Science Technology & Climate Change, Shimla, H.P.

ANIL JARYAL D/3587116. ADV

