



**H.P. STATE POLLUTION CONTROL BOARD**  
**Regional Office, Him Parivesh, Phase-III,**  
**New Shimla (H.P.) - 171009**



706

No.PCB/ROS/Shivalik Buildtech/2022- 1678

Dated: 13/12/2022

To,

M/s Shivalik Buildtech Pvt. Ltd.,  
 Upmohal Kyarla, Tehsil Nerwa,  
 District Shimla, H.P.

**Subject:- Violation of the provisions under C&D Waste Management Rules, 2016, Water (Prevention & Control of Pollution) Act, 1974 & Environment (Protection) Act, 1986.**

Whereas, it has been observed through physical inspection of area on dated 12-12-2022 that your unit is conducting the road widening activity from fedij bridge to gumma. The muck generated from excavation activity is being dumped along the rivulet without any protection measure.

The facts above tantamount to violation of the section 25 of Water (Prevention & Control of Pollution) Act, 1974 section 21 of Air (Prevention & Control of Pollution) Act, 1981 constituting a cognizable offence punishable under the aforesaid acts.

Now, therefore in accordance with the provisions of above quoted laws, it is proposed to initiate action against you in accordance with the provisions of:

- Section 41 and 44 of the water (Prevention & Control of Pollution) Act, 1974 attracting fine of rupees ten thousand and imprisonment upto six years.
- Section 37 & 39 of the Air (Prevention & Control of Pollution) Act, 1981 attracting fine (s) upto rupees ten thousand and imprisonment upto six years.
- Environmental compensation as per formula devised by Hon'ble NGT in O.A. 593/2017 titled "Paryavaran Suraaksha Smiti & Anrs. Vs. UOI & ors." Dated 19.02.2019.

However, before proceeding against you further in the matter, you are hereby directed:- i) To immediately provide protection measure at all muck dumping sites. ii) Submit the muck statement. iii) Not to dump muck at any unauthorized site. Action taken report in the above matter should reach to the office of the undersigned within 10 days.

Please note that in the event of failure to comply with above directions, penal and legal actions stated above shall be initiated against you for the above mentioned violations and non-compliance at your risk and cost.

*[Signature]*  
 Regional Officer,  
 HP SPCB, R.O. Shimla

Received  
 14/12/22  
*[Signature]*

707

CIN No:- U45201DL2004PTC127501



# SHIVALIK BUILDTECH PVT. LTD.

Corporate Off. : A-1/A, 2nd Floor, Sector-16, Noida ( U.P.)-201301  
 Site Office : Rajendra Complex, Gumma, Bour Tehsil Nerwa, (H.P.)-171210  
 Tel. : 0120-4575106, 107, 108, E-mail : info@shivalikbuildtech.com  
 Website : www.shivalikbuildtech.com

Dated – 15.12.2022

To,

The Regional Officer,  
 HP State Pollution Control Board,  
 Regional Office - Shimla

**Subject: Reply to letter no. PCB/ROS/Shivalik Buildtech/2022-1678 dated: 13/12/2022**

Dear Sir,

With reference to your letter no. PCB/ROS/Shivalik Buildtech/2022-1678 dated: 13/12/2022, we would like to inform you that muck generated due to excavation activity is being taken care by us by doing following precautionary methods.

1. Creating retaining walls.
2. Creating gabion walls.
3. Creating Brest walls.
4. Doing hydro-seeding in all muck dumping areas and mountain side area.
5. Plantation of Bamboo trees in muck dumping areas as well as mountain side area.

We are attaching site photographs for your immediate reference which clearly shows that those steps mentioned above has already been executed at site level. Photographs clearly shows retaining walls, gabion walls and Brest walls already executed at site and further in progress.

Hydro-seeding (method to grow grass in mountain region) done by us clearly shows that grass is already been germinated (photos attached) for slope protection at muck dumping sites and hydro-seeding activity is continuously being done at site also. Moreover, Bamboo plantation have already been started and good quantity of bamboos have been planted by us and can be seen clearly in photos attached.

We would like to inform you that due to insane rainfall, tremendous landslides have occurred in this area due to which most area is looking like dumping zones. Moreover, in these landslides one of our poclain has been damaged very badly and same was intimated to the nearest police station. Photographs of landslides, poclain and intimation letter to police station has been attached for your reference.

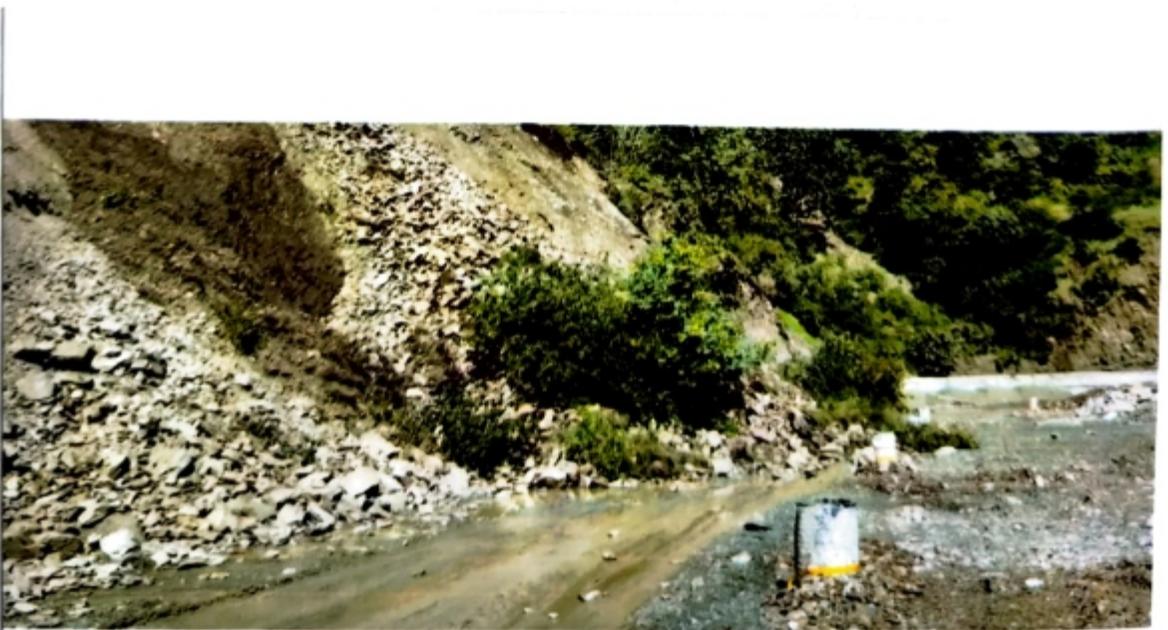
We assure you that we are taking all precautionary measures for slope protection in the interest of environment and People of Himachal Pradesh and please note that slope protection of muck dumping area must be done by us contractually also else we shall be unable to get completion certificate from MORTH. We also assure you that we are not dumping muck in non- dumping area and nor will do in future, even if any slope protection is required which is not in our scope contractually shall be done in the interest of human grounds.

We request you to kindly give us 2 months' time and again a visit can be done by yourself to see the precautionary measures executed at site level and request you to kindly withdraw the letter stating the proposed action against us.

*Handwritten signature*

Authorized Signatory

*Handwritten notes:*  
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 R. impact  
 2 report  
 15/12/2022

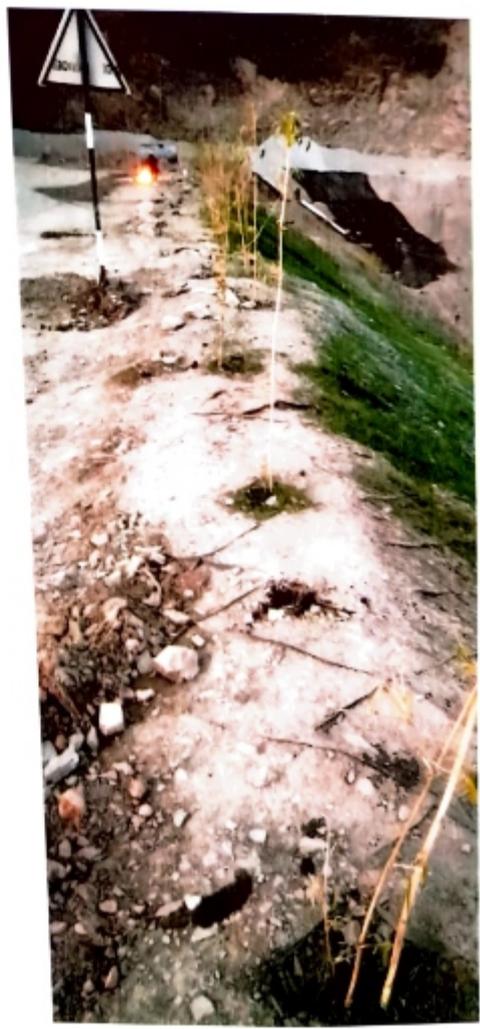
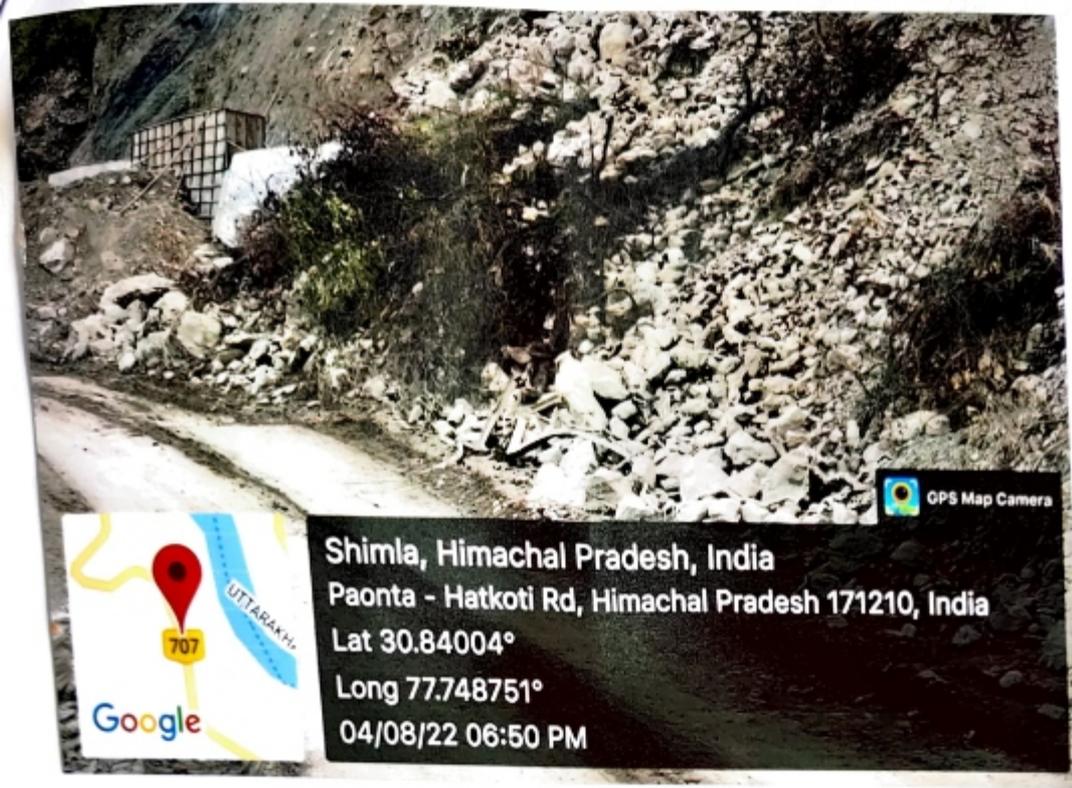


709



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Longitude: 77.748688  
Elevation: 894.35±21 m  
Accuracy: 28.0 m  
Time: 20-09-2022 18:15

Note: Slide Remove and slope Maintain ch- 101+350 to 101+360 (LHS)





Latitude: 30.830445  
Longitude: 77.760765  
Accuracy: 3100.0 m  
Time: 09-26-2022 11:13  
Note: Ch.101+500



Latitude: 30.844074  
Longitude: 77.744121  
Elevation: 910.12±30 m  
Accuracy: 13.7 m  
Time: 09-26-2022 11:26  
Note: Ch.102+430

शेरा में,

श्री मान धाना धमारी मशीनर जो  
नेरवा चौपाल जिला शिमला ( हिमाचल प्रदेश)

महोदय,

घाटी आप के सज्जन में सलाम बहाल है की हमारी मशीन बॉम्बो एक्साक्रेटर  
क्रिसमर Sr. no VCEC210DC00253050 , modal no excavator / EC210D जो की NH-  
707 के पास 5 के फेडिज पुल के पास काम कर रही है दिनांक 12-09-2022 को घात. 03 बजे के  
समयमा रीड सिग्नल हो जाने के कारण एक बड़ा सा पत्थर मेरी मशीन के उपर गिर जाने के कारण  
हानि परत हो गयी किन्ती एक्वर का उन हानि नही हुआ है अतः मशीन को रिपेयर करने के लिए  
मशीन उठाने हेतु, उक्त जानकारी आप को सुचारुमें प्रेषित है

दिनांक :- 16-09-2022

घाटी *Sajinder*

शिवसिक विन्ड टेक प्राइवेट लिमिटेड  
एनर्ज कॉन्सेक्स गुग्गा तहसील नेरवा (हि.प्र.)  
MOB NO .9215857809  
पिन कोड -171211

*Ranef*  
MH-10  
Police Station Nerwa  
Distt. Shimla (H.P.)

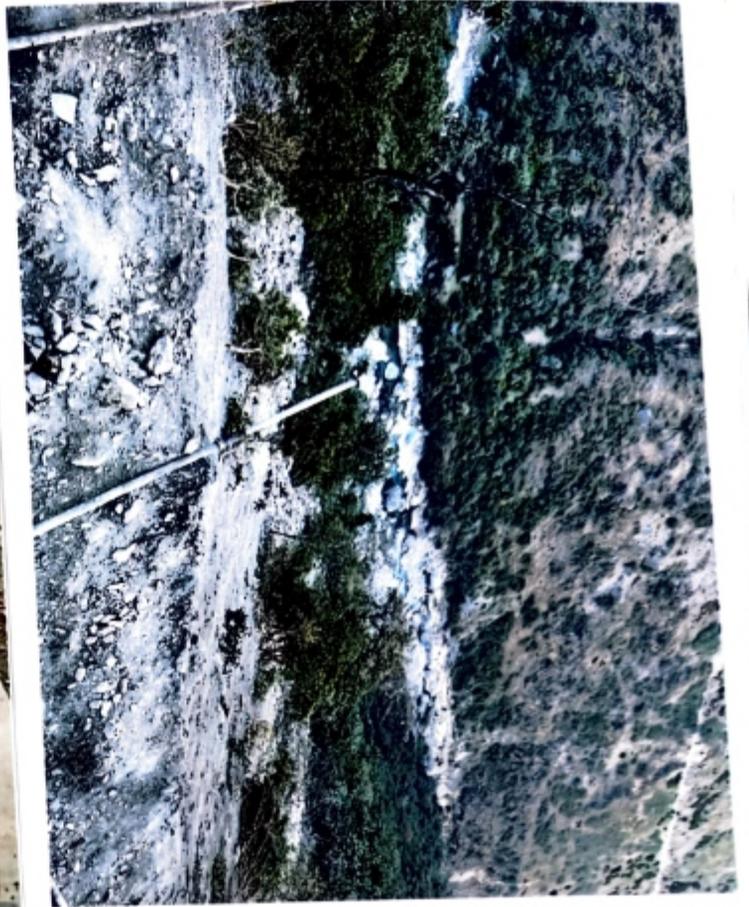


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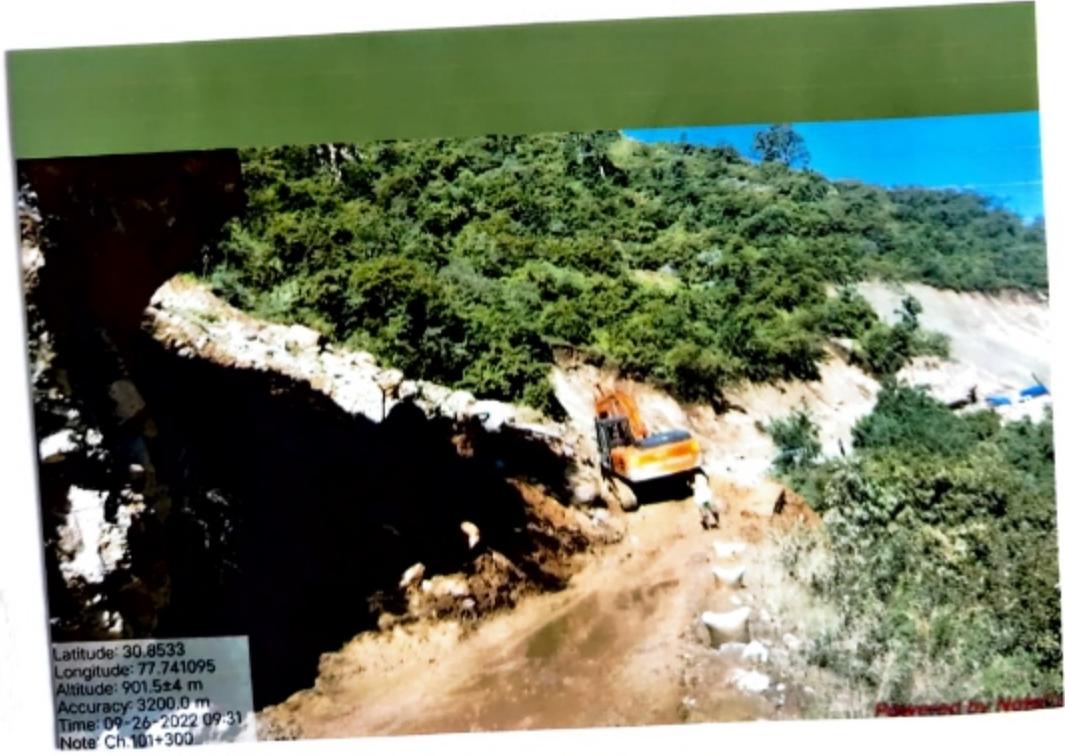




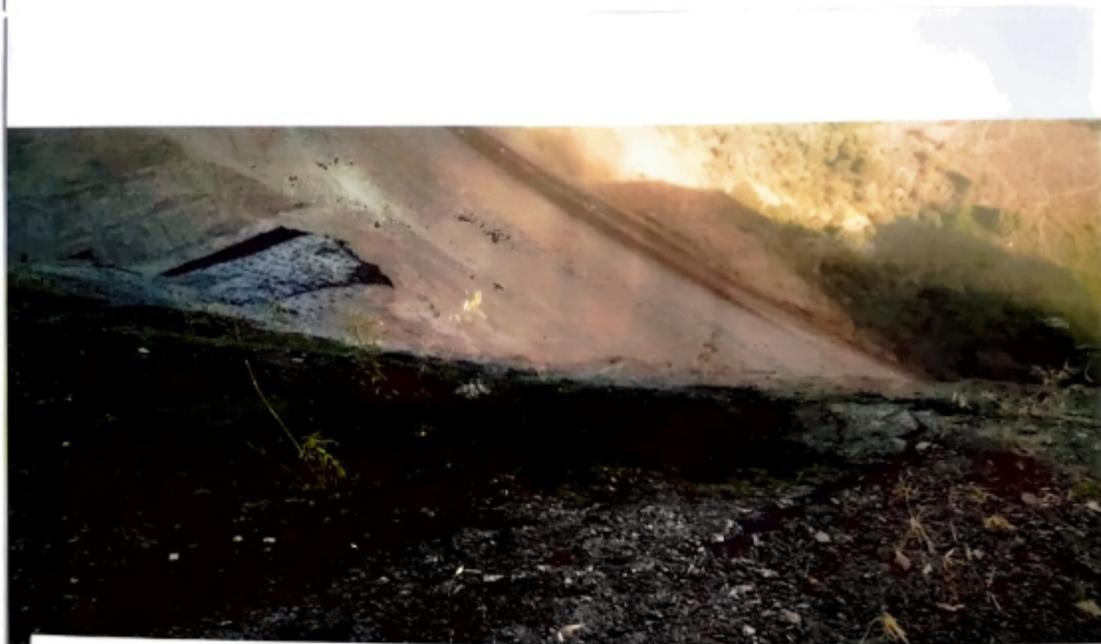
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 Paonta - Hatkoti Road  
 Shimla  
 Himachal Pradesh  
 sliding at ch:-102+220



Sep 22, 2022 11:15:26 AM  
 Paonta - Hatkoti Road  
 Shimla  
 Himachal Pradesh  
 sliding at ch:-102+220



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 Note: Ch:101+300



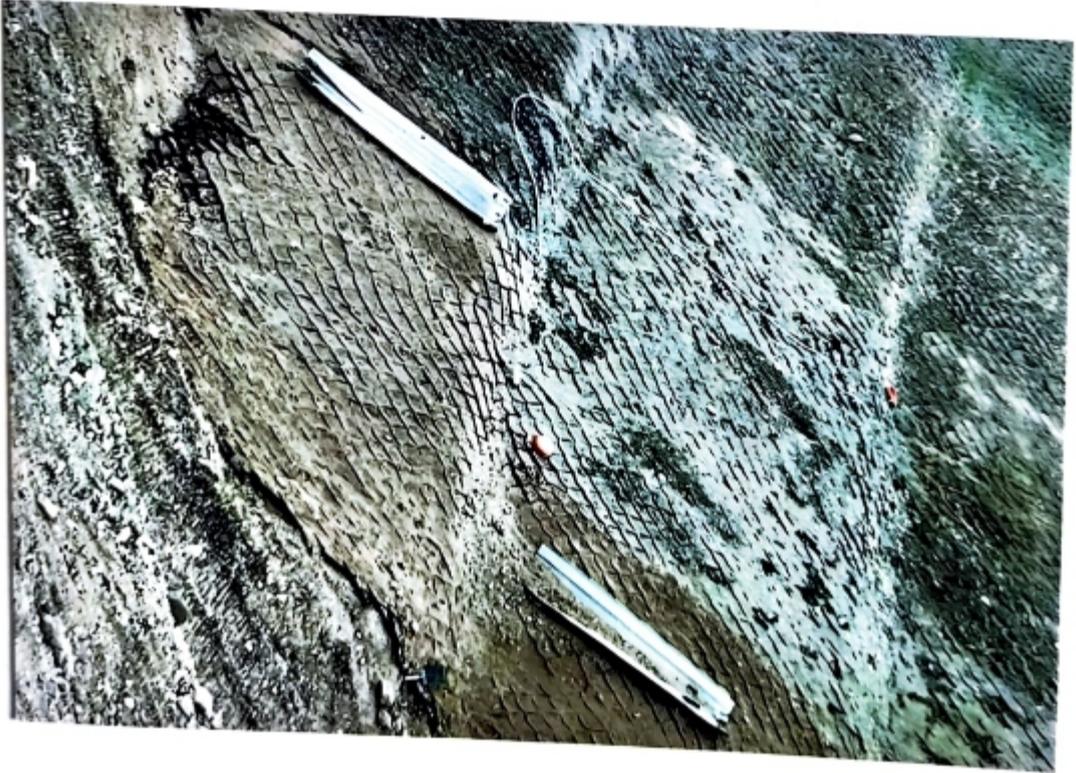


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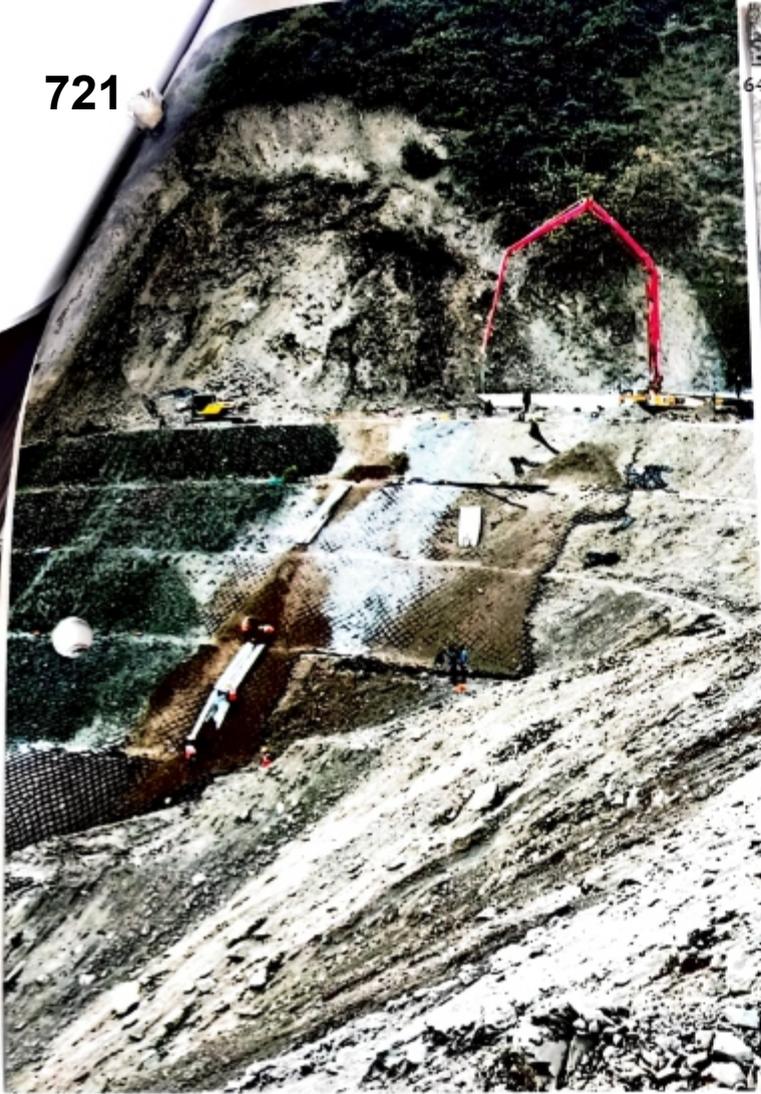




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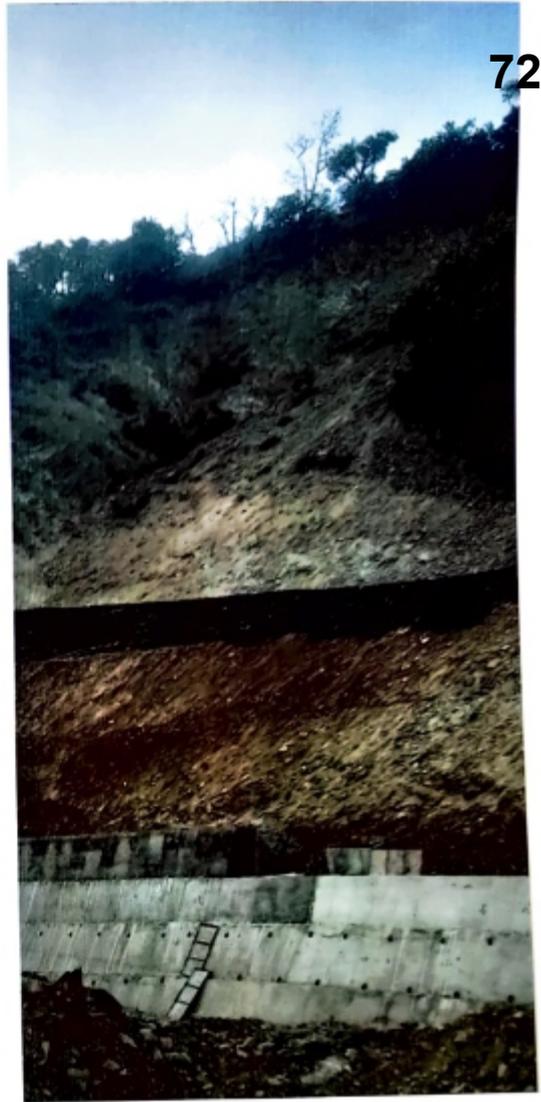


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 Note: BW  
 101469240-101477390

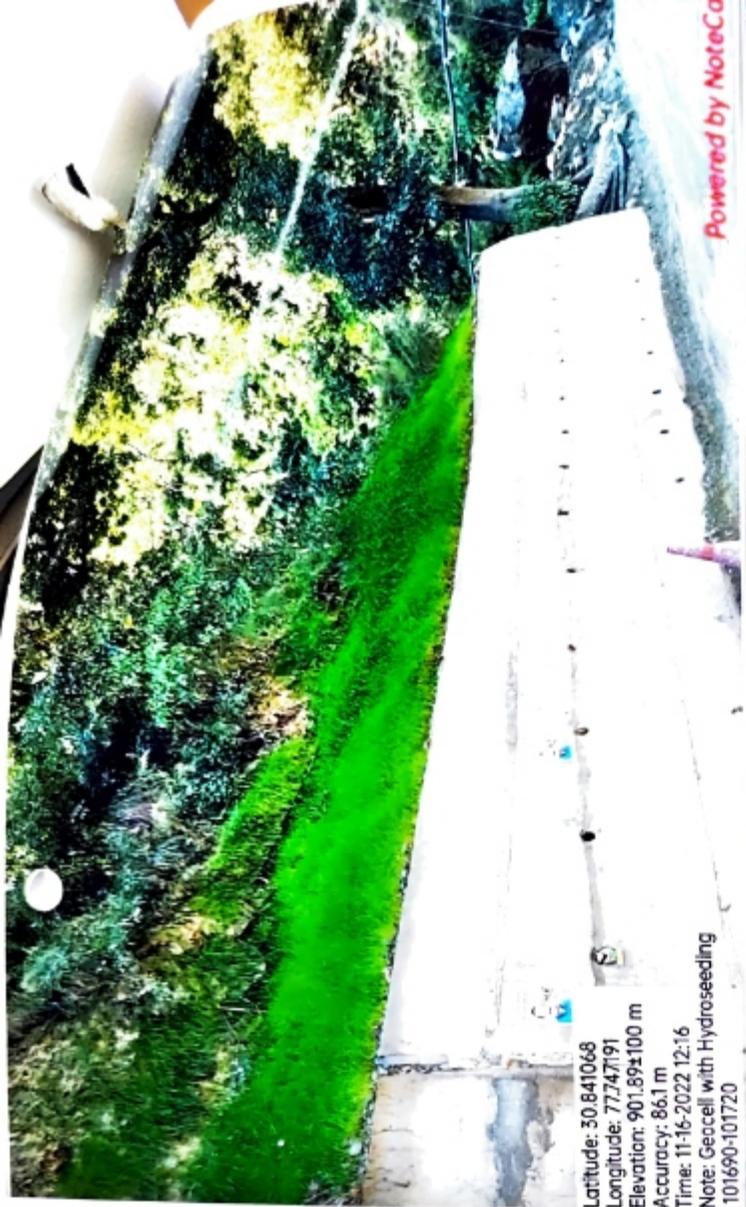


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 Accuracy: 79.4 m  
 Time: 11-16-2022 11:40



Latitude: 30.832685  
 Longitude: 77.756685  
 Elevation: 900.02±100 m  
 Accuracy: 10.3 m  
 Time: 11-16-2022 11:34  
 Note: RW  
 100248-100259

Powered by NoteCam



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CIN No: U45201DL2004PTC127501

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# SHIVALIK BUILDTECH PVT. LTD.

Corporate Off. : A-1/A, 2nd Floor, Sector-16, Noida ( U.P.)-201301  
Site Office : Rajendra Complex, Gumma, Bour Tehsil Nerwa, (H.P.)-171210  
Tel. : 0120-4575106, 107, 108, E-mail : info@shivalikbuildtech.com  
Website : www.shivalikbuildtech.com

To,  
Regional Office  
HP SPCB  
R. O. Shimla

Dated: 23/01/2023

Subject: Precautionary measures taken by us for slope protection in muck dumped areas

Dear Sir,

With reference to your letter no. PCB/ROS/Shivalik Buildtech/2022-1678 dated: 13/12/2022, we would like to inform you that we have already planted a good volume of bamboos at site and doing geocell and hydroseeding and most of the grass is visible photos are attached for your reference.

We are attaching site photographs for your immediate reference which shows Brest walls, retaining walls, gabion walls are in progress in muck dumping areas for slope protection. Walls are being made both mountain side as well as valley side.

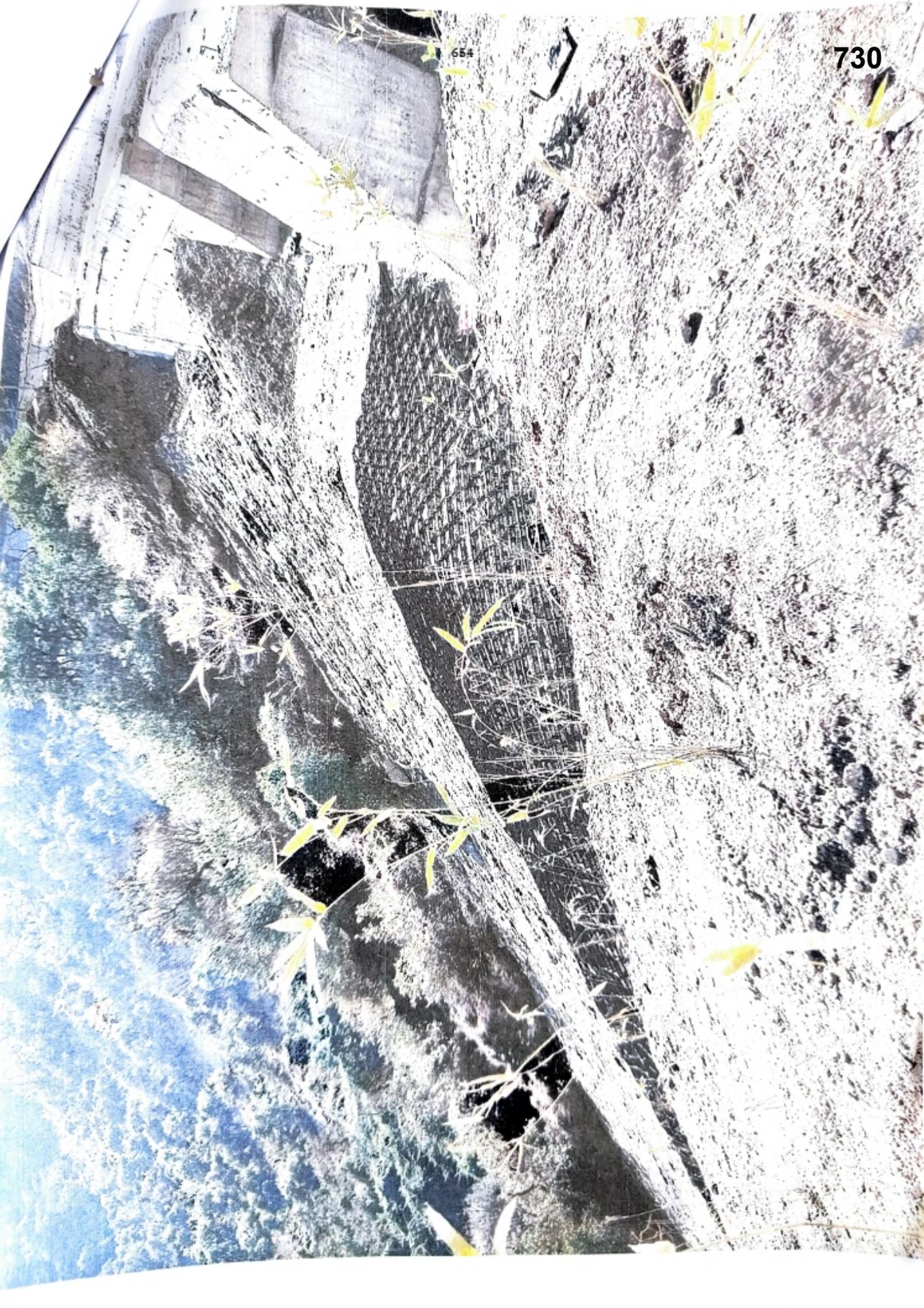
We are making all efforts for slope protection. We further request you to kindly withdraw the letter stating the proposed action against us.

Regards

Authorised Signatory  
(ARJUN BHATIA)  
9717240409.

JEE to inspect  
project

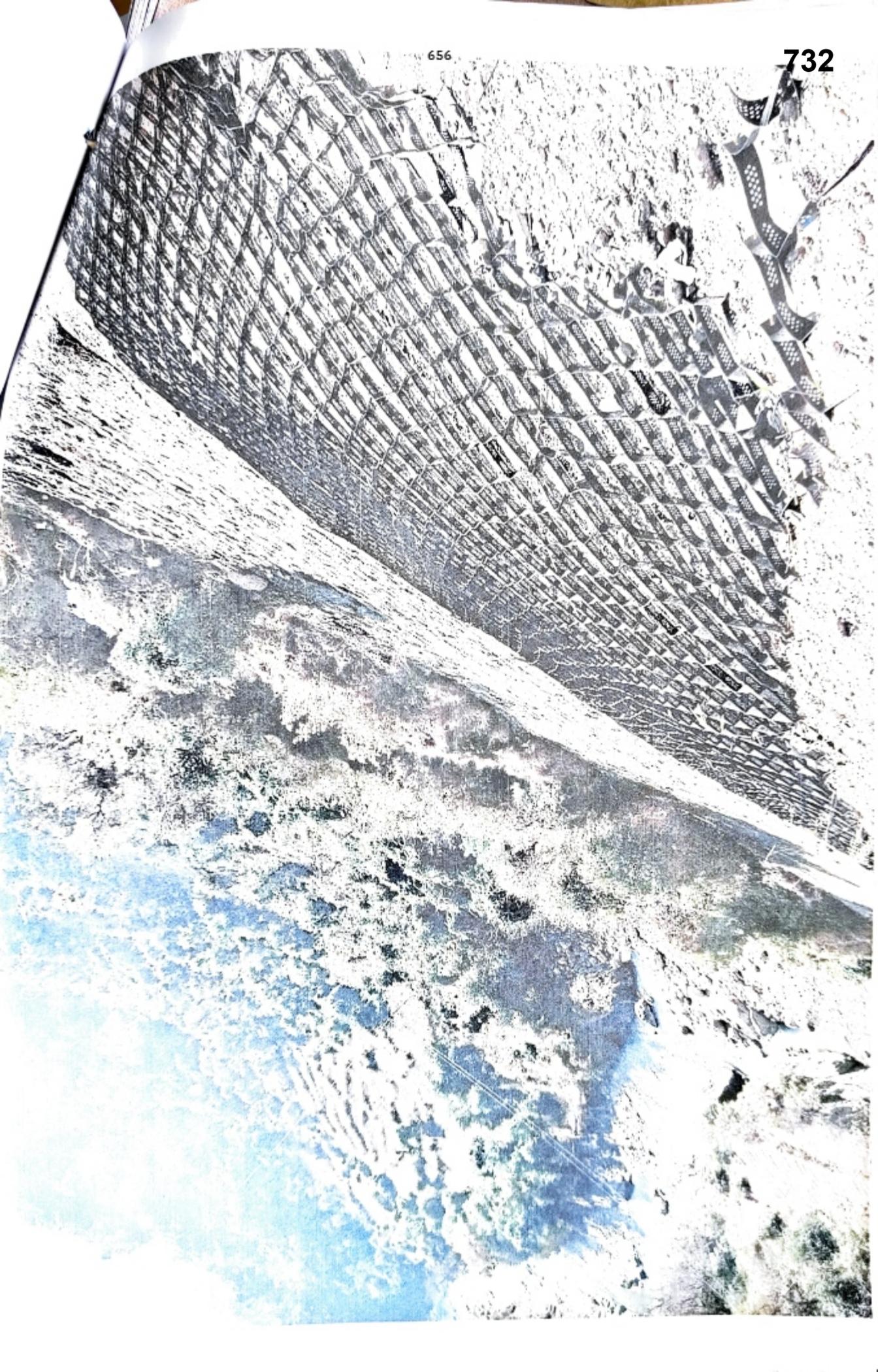
23-1-23



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Corporate Off : A-1/A, 2nd Floor, Sector-16, Noida ( U.P.)-201301  
Site Office : Rajendra Complex, Gumma, Bour Tehsil Nerwa. (H.P.)-171210  
Tel. : 0120-4575106, 107, 108. E-mail : info@shivalikbuildtech.com  
Website : www.shivalikbuildtech.com

To,  
Regional Office  
HP SPCB  
R. O. Shimla

Dated: 23/01/2023

Subject: Precautionary measures taken by us for prevention and control of Pollution

With reference to your letter no. PCB/ROS/WPC 681 of 2020 and 845 of 2020/2022- 1832-33, Dated: 29/12/2022, we would like to inform you that we have to develop road of 8.5 Km out of which we have already developed 7.5 km and overall, only 1 km road cutting is balance. We have deployed 3 tankers with sprinklers in a shift of 6 hours each which start from 6 am in the morning to 10 pm in the night to minimize pollution. We are doing this since start of work to prevent/minimize pollution. We are attaching site photographs for your immediate reference which shows that tankers are working at various chainages of road.

Moreover, we have also deployed high-capacity water motors with sprinklers specially designed for spraying of water at height which is an alternative of anti-smog gun. Photos of spraying water through high-capacity motors are attached for your reference.

Further we are making all efforts for prevention and control of pollution.

This is for your information.

Regards

Authorized Signatory  
(9717240409)

JES to info  
& report

23.1.23



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 ide: 77.75074  
 on: 814.25±85 m  
 cy: 202.3 m  
 11-21-2023 12:23  
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DATE - 3/02/2023

To  
REGIONAL OFFICE  
HP SPCB  
SHIMLA

SUB:

Dear Sir,  
With reference to your letter dated: 13/12/22 and letter No: 1678  
we would like to inform you that Slope Protection measures  
have almost been completed by us and the material fallen  
due to landslide shall be cleared by us within 7 to 10 days  
as due to Extreme rainfall last 15 days, there further has  
been landslides.

So we request you to kindly give us some more time for  
rectification of the same.

This is for your information.

Regards

Signature

CARTUN BHATIA

4.2.23

Shivalik Buildtech



# H.P. STATE POLLUTION CONTROL BOARD

667

**Most Urgent**

Regional Office "HIM PARIVESH", PHASE III,  
NEW SHIMLA-171009.

[www.hppcb.nic.in](http://www.hppcb.nic.in) e-mail: [pcbroschimla@gmail.com](mailto:pcbroschimla@gmail.com)



No. PCB-ROS/M/s Shivlaik Buildtech Pvt. Ltd. (188)/2022- 1057-58  
To

Dated: 26/07/2023

Managing Director,

M/s Shivlaik Buildtech Pvt. Ltd.

Up-Mohal Kyarla, Tehsil Nerwa and District Shimla (H.P) 171210.

**Subject: Show Cause notice under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & control of Pollution) Act, 1981 and C&D waste management Rules, 2016.**

Whereas it has been observed that you are violating the provisions of Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and C&D waste management Rules, 2016.

Whereas it has been observed during the routine inspection of **Nerwa-Fediz** area conducted on **22.07.2023** by the State Board Officers that the widening of NH-707 between Gumma-Fediz section is going on. Further, it was observed that due to extreme rainfall and weather conditions in the monsoon, massive landslides have taken place at many places along the stretch and lot of debris has gone down the valley. This debris may get washed away along with the rain into nearby river and deteriorate its water quality.

Whereas the above mentioned facts tantamount to the gross violation of the provisions of section 4(4) of C&D Waste Management Rules, 2016 besides provisions contained in Water (Prevention & control of Pollution) Act, 1974 and Air (Prevention & control of Pollution) Act, 1981.

Whereas Hon'ble NGT in OA No. 593/2017 titled "**Paryavaran Suraksha Samiti & Anr. Vs. UoI & Ors. dated 19.02.2019 has prescribed a formula for imposing Environmental Compensation on the basis of "Polluters Pay Principle"**". Hence, it is proposed that Environmental Compensation be imposed upon you for utmost disregard towards environment.

However, before proceeding against you finally in the matter, you are hereby directed to repair the damaged retaining structures at all the designated dumping sites before carrying any additional muck dumping, take remedial and preventive action to manage damage control. You are further directed to provide retaining structures at site where landslides have taken place to retain the remaining muck. You are also directed to show cause to this office **within 15 Days** as to why action as proposed above shall not be initiated against you for above mentioned violations.

Please note that in event of non-compliance or unsatisfactory deposition, action as proposed shall be initiated against you without issuing any further notice.

Environmental Engineer  
HP SPCB, RO- Shimla.

Copy To:-

1. The Member Secretary HSPCB for information, please.

Environmental Engineer  
HP SPCB, RO- Shimla.



# H.P. STATE POLLUTION CONTROL BOARD

Regional Office "HIM PARIVESH", PHASE III,  
NEW SHIMLA-171009.



[www.hppcb.nic.in](http://www.hppcb.nic.in)-mail: [pcbroschimla@gmail.com](mailto:pcbroschimla@gmail.com)

No. PCB-ROS/C&D Waste/2023-24- 1089

Dated: 28/07/2023

To

M/s PRL Projects and Infrastructure Ltd. &  
Dhatarwal Construction Company Pvt Ltd. JV,  
Near Minus bridge, Mauza Kharkah,  
Tehsil Shillai, District Sirmaur H.P.

**Subject: Directions under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & control of Pollution) Act, 1981 and C&D waste management Rules, 2016.**

This is in reference to physical inspection of NH 707, *Gumma-Minus* area conducted on 22.07.2023 by the State Board Officers, during which it was observed that due to extreme rainfall and weather conditions in the monsoon, massive landslides have taken place at many places along the Shri-Kyari-Gumma Section stretch in district Shimla and lot of debris has gone down the valley. Further, debris from cutting of hills is still lying dumped down the valley in an unscientific manner without any protection measures. This debris may get washed away along with the rain into nearby river and deteriorate its water quality.

Now, as per section 5 of C&D Waste Management Rules, 2016, it is the responsibility of service providers and their contractors to manage C&D waste generated from their civil works and dispose it off in a scientific manner at designated dumping sites. However, same has not been complied with as per recent inspection of NH 707 carried out.

Further, Hon'ble NGT in OA No. 593/2017 titled "**Paryavaran Suraksha Samiti & Anr. Vs. UOI & Ors. dated 19.02.2019**" and "**Abhishek Rai vs State of HP & Ors.**" has prescribed a formula for imposing **Environmental Compensation on the basis of "Polluters Pay Principle"**.

Therefore, you are directed to lift the muck dumped in an unscientific manner along NH 707 and dispose it off at designated dumping sites. You are also directed to provide retaining structures at sites where landslides have taken place and debris is lying unprotected to retain the remaining muck. Moreover, steps need to be taken to stabilize the existing dumping sites, bio-remediate these sites and carry out plantation of native species. Action taken report shall reach the office of undersigned within 15 days.

  
**Environmental Engineer**  
HP SPCB, RO- Shimla.



Ref: SBPL/WB/SEP/2023-24/193

Date: 05/09/2023

To,  
 Environmental Engineer,  
 HPPCB R.O.  
 Shimla,  
 Himachal Pradesh, INDIA

**Project:** Rehabilitation & Up-gradation to Intermediate -lane configuration of Gumma-Fediz Section (Km 94.900 to km 103.550) of NH-707 in the State of Himachal Pradesh under Green National Highway Corridor Project (GNHCP) with the loan assistance of World Bank on EPC mode.

**Subject:** - Regarding damages between Gumma-Fediz section of NH-707

Dear Sir,

We have been awarded the aforesaid project by Ministry of Roads Transport & Highways, GoI and working between Gumma-Fediz since April 22, 2022.

Keeping in view the urgency of this project, we have tirelessly worked to deliver the project before time to the government We had almost completed the project and were in process of handover to department. We were given a time of 18 months for completion of the project, but because of sense of responsibility towards convenience of road users, we made it possible to deliver the project within 15 months.

Due to the excessive heavy rainfall in the month of July 2023, we were hit by several landslides at various locations which caused damages to the newly constructed road. Attached with this letter, is the pictorial representation for better understanding of the road damages that have taken place during the period of heavy rainfall and the condition of road before the damages. Due to landslides in almost complete length of the road, big boulders along with muck in a very huge volume came down blocking the road completely and sliding into the valley side causing damage to road and the valley side area. Not only this the damage was so huge that our 150 mtr road was also washed away completely and around 200 mtr road was partially washed away due to incessant rainfall. We cleared all debris from the road and shifted the same to our crusher area and approved dumping zones. We have attached all pictures for your reference.

The purpose of this letter is for your information only.

**For Shivalik Buildtech Pvt Ltd**

  
 For Shivalik Buildtech Pvt. Ltd.

**Authorized Signatory**

**Authorized Signatory**

14  
 8.9.23

ASL  
 JES

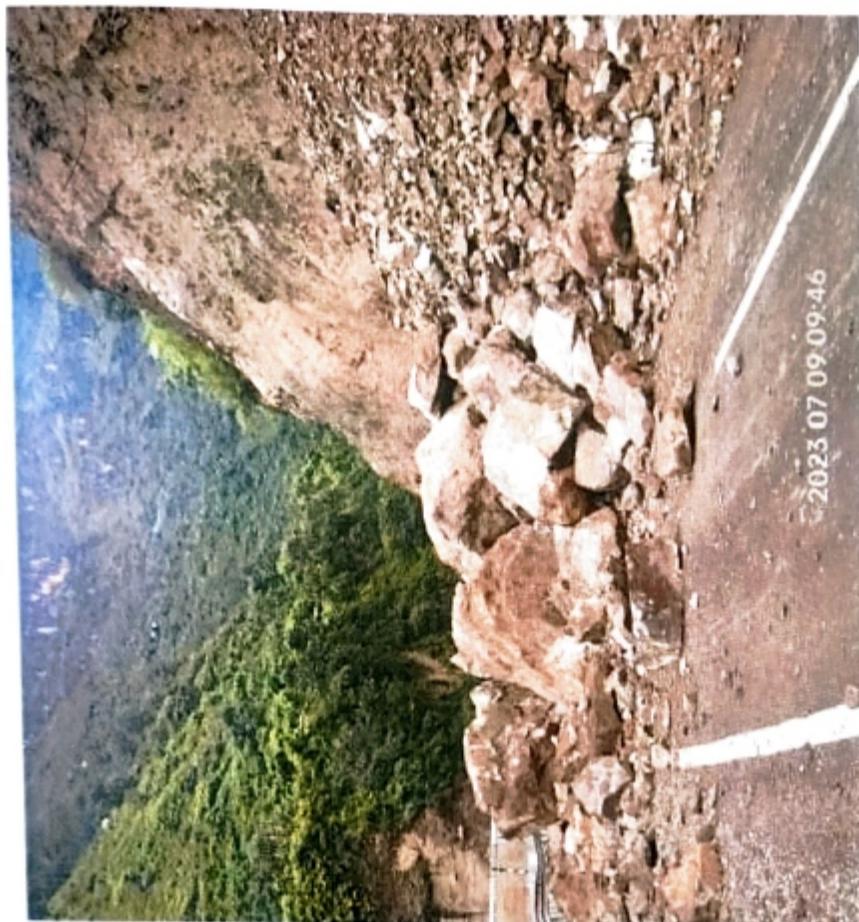
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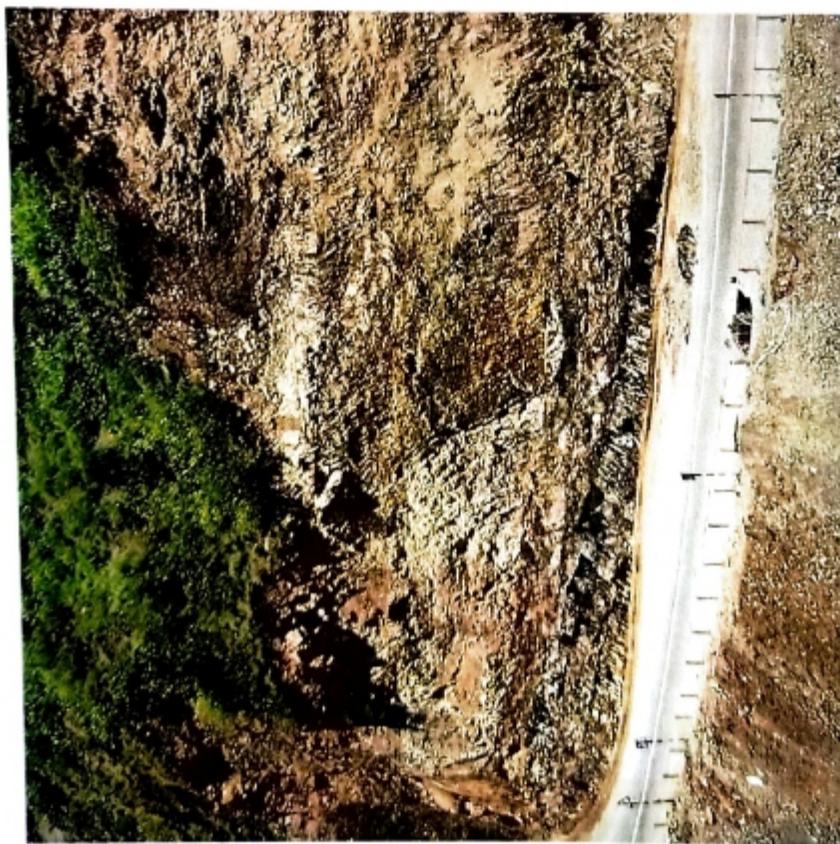
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**SHIVALIK BUILDTech PVT. LTD.**

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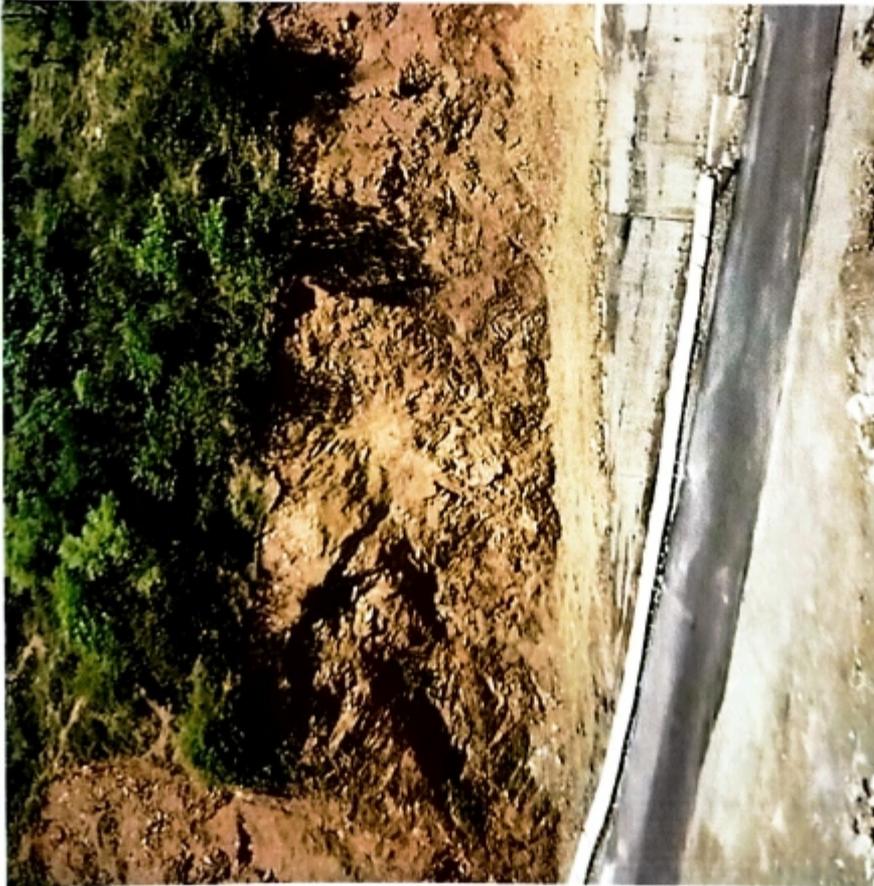
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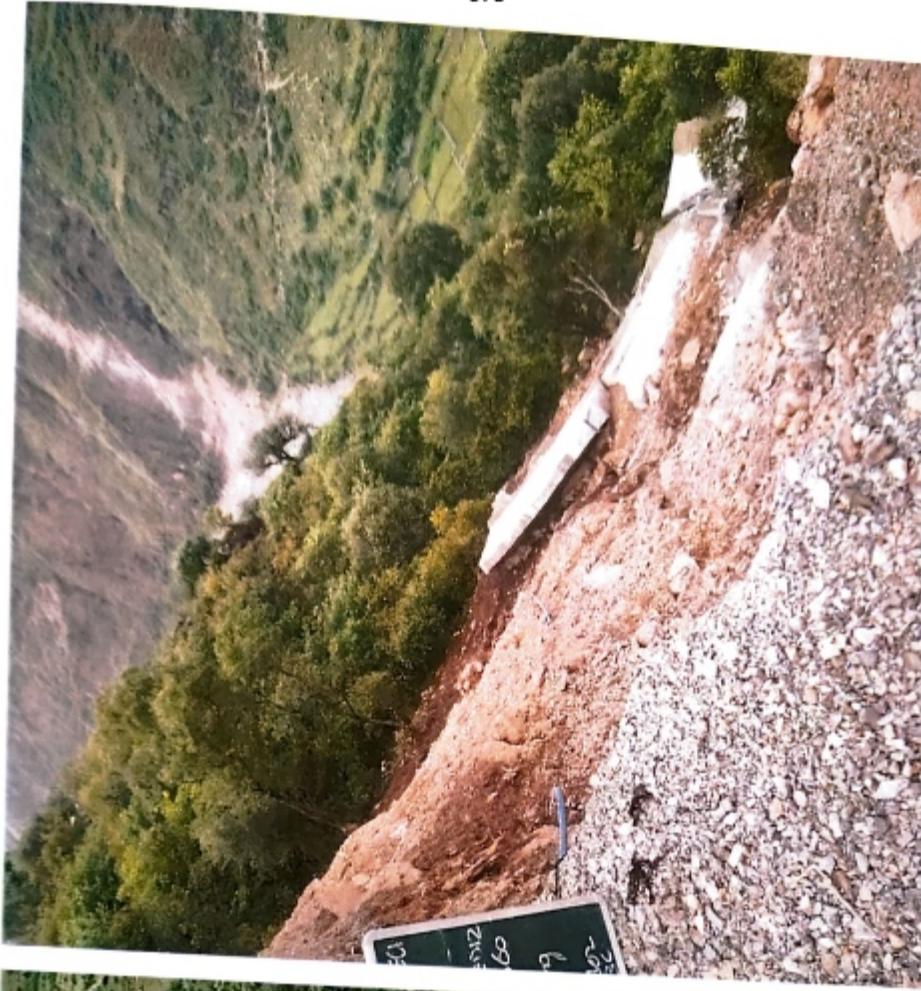
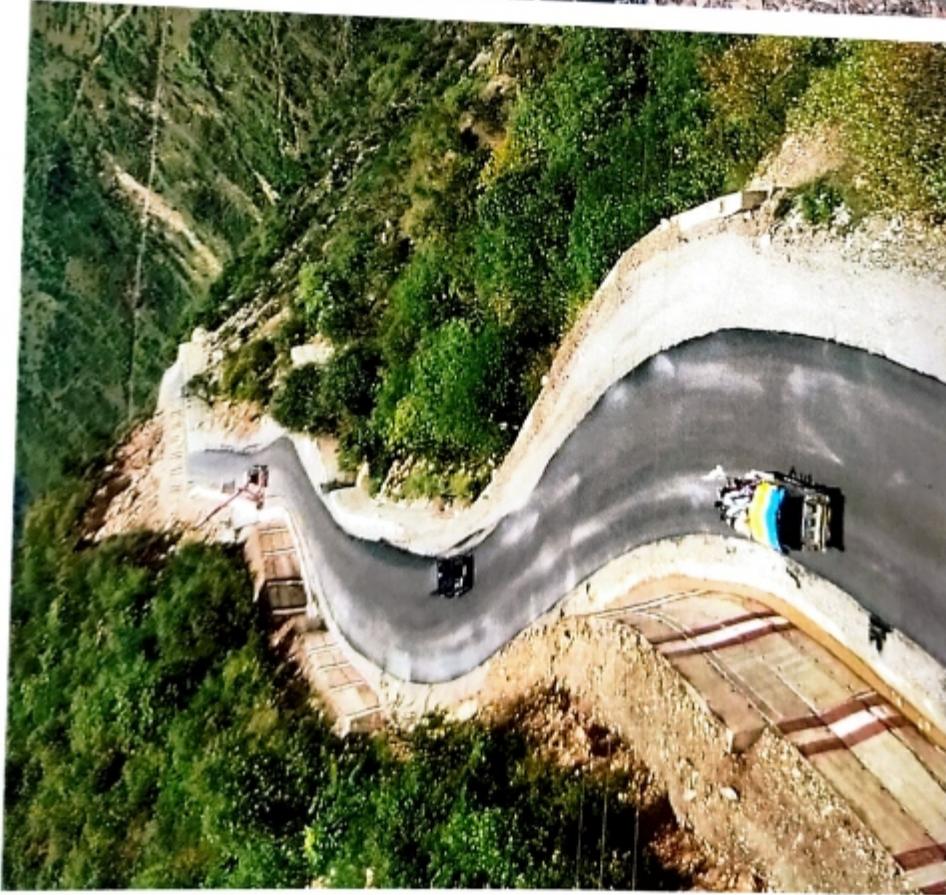
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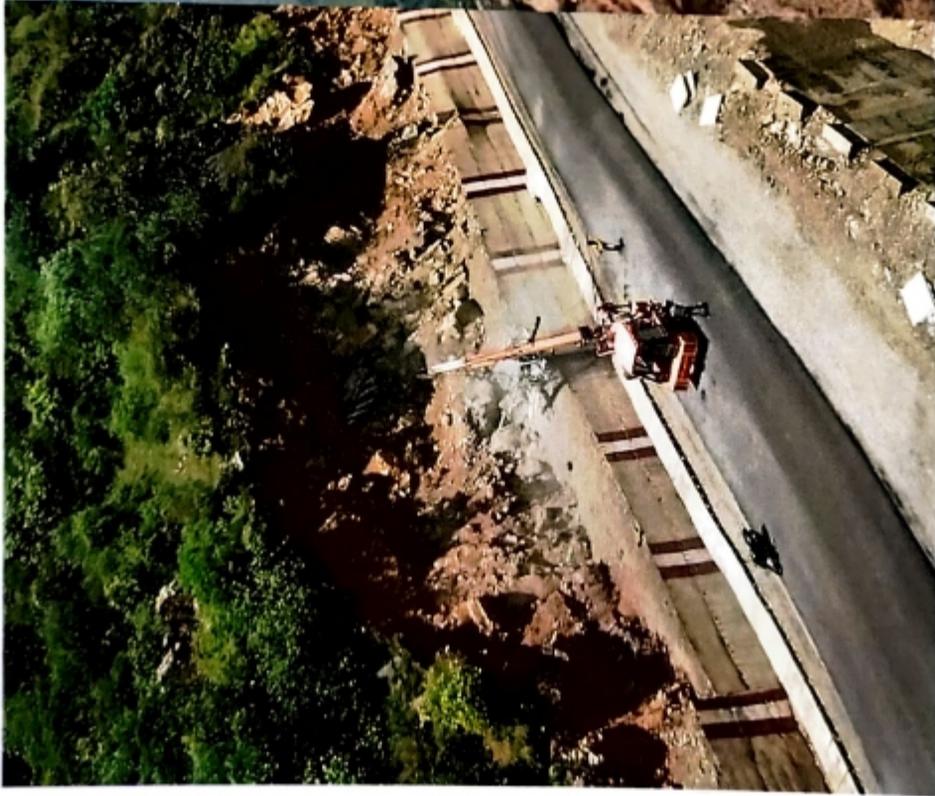
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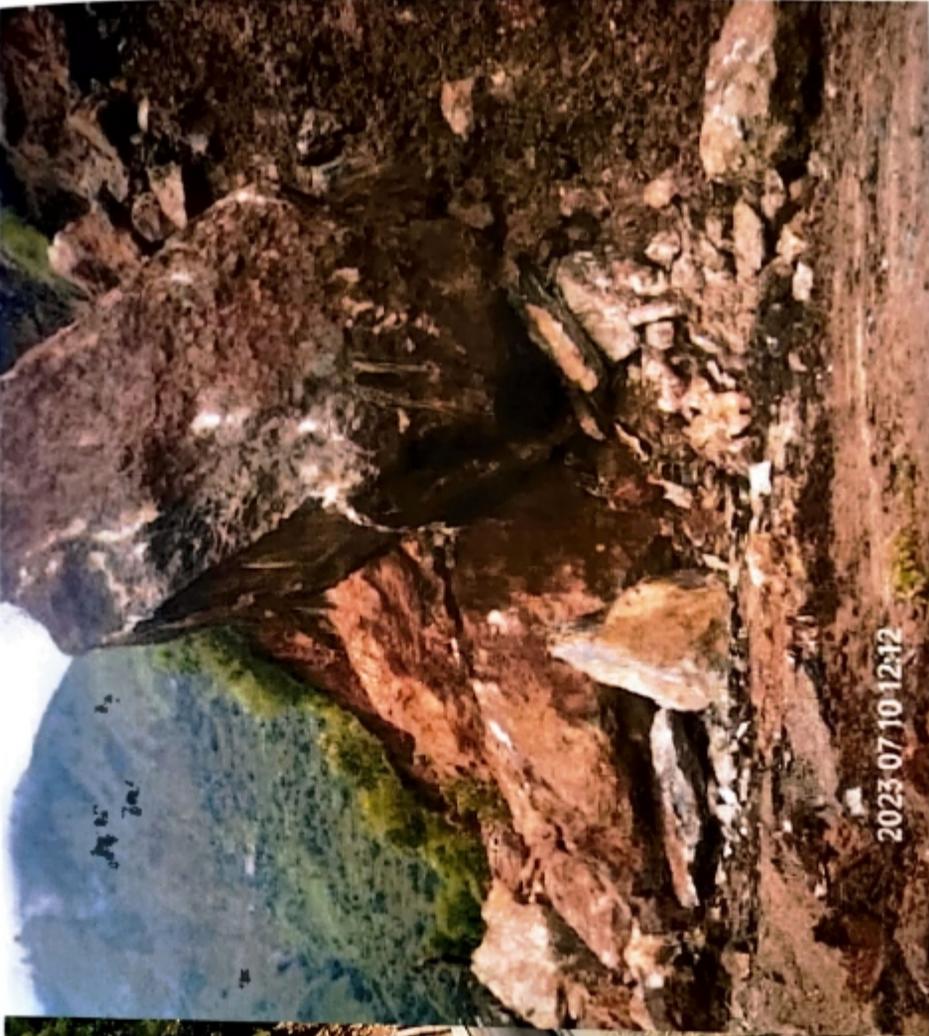
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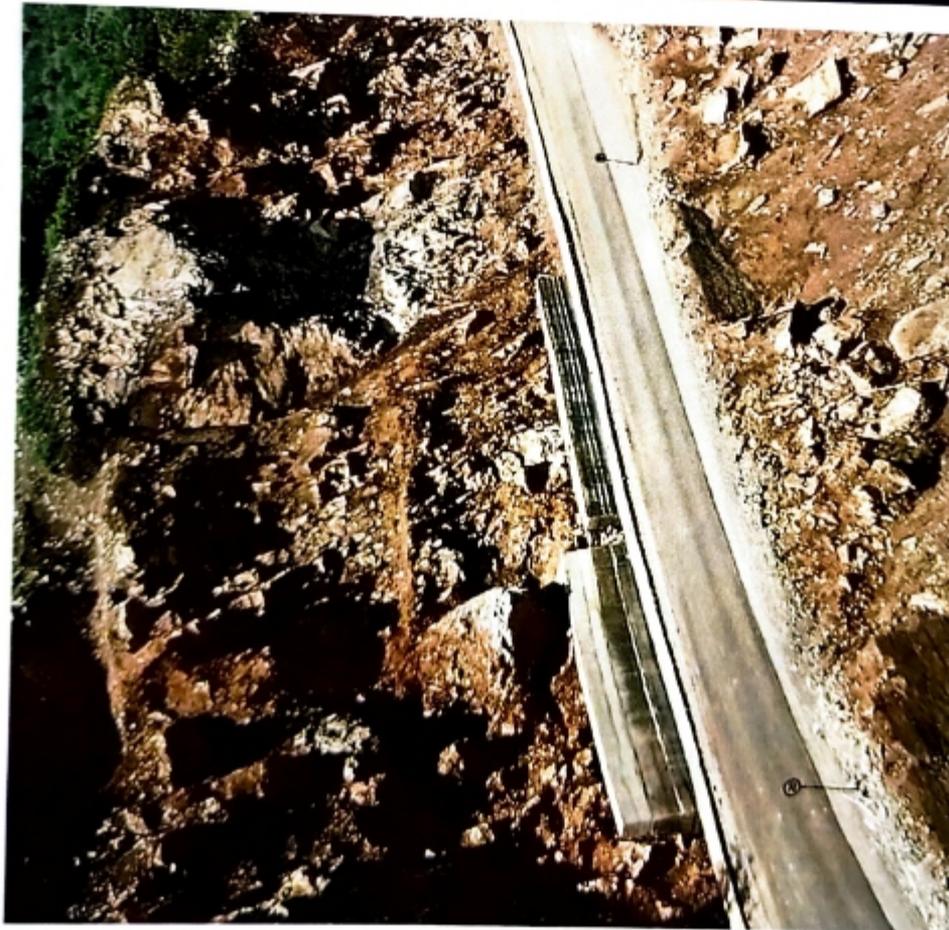
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SHIVALIK BUILDTech PVT. LTD.



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**BEFORE**



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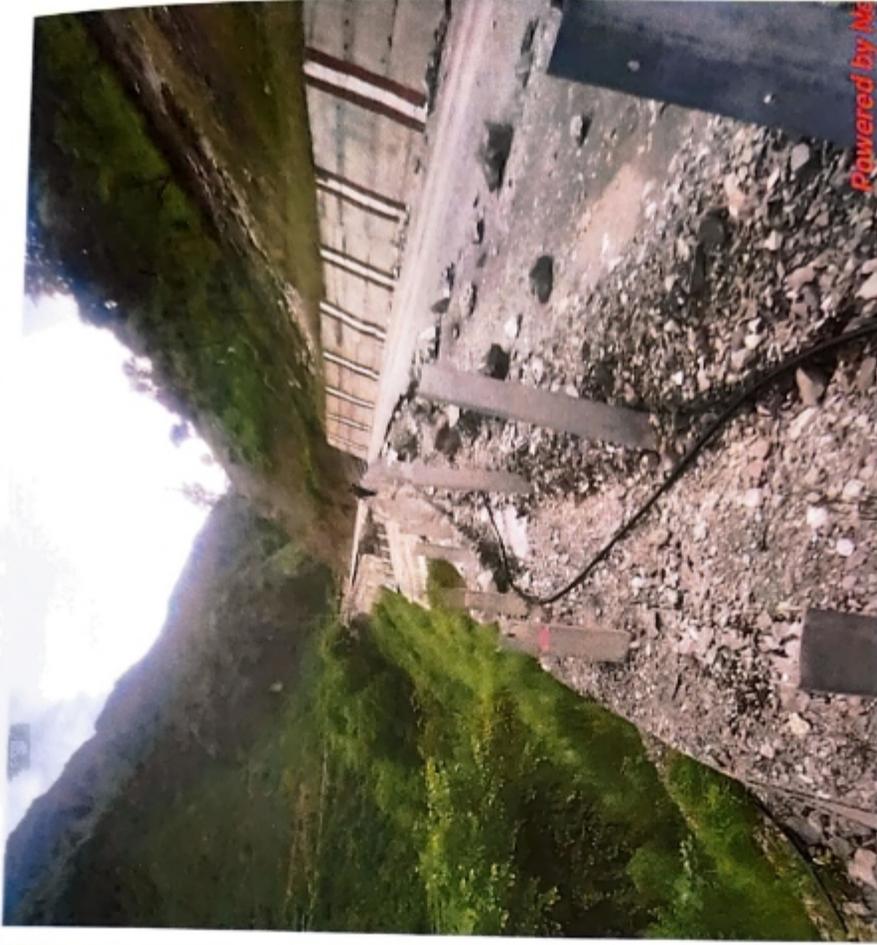


 SHIVALIK BUILDTech PVT. LTD.

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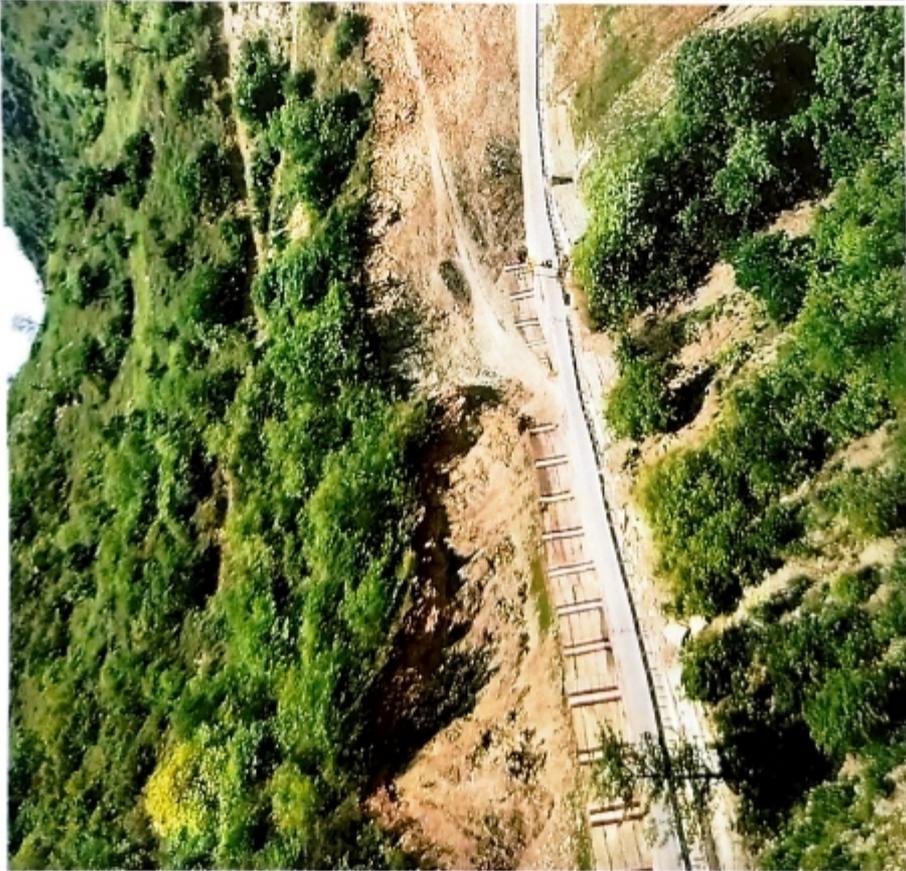
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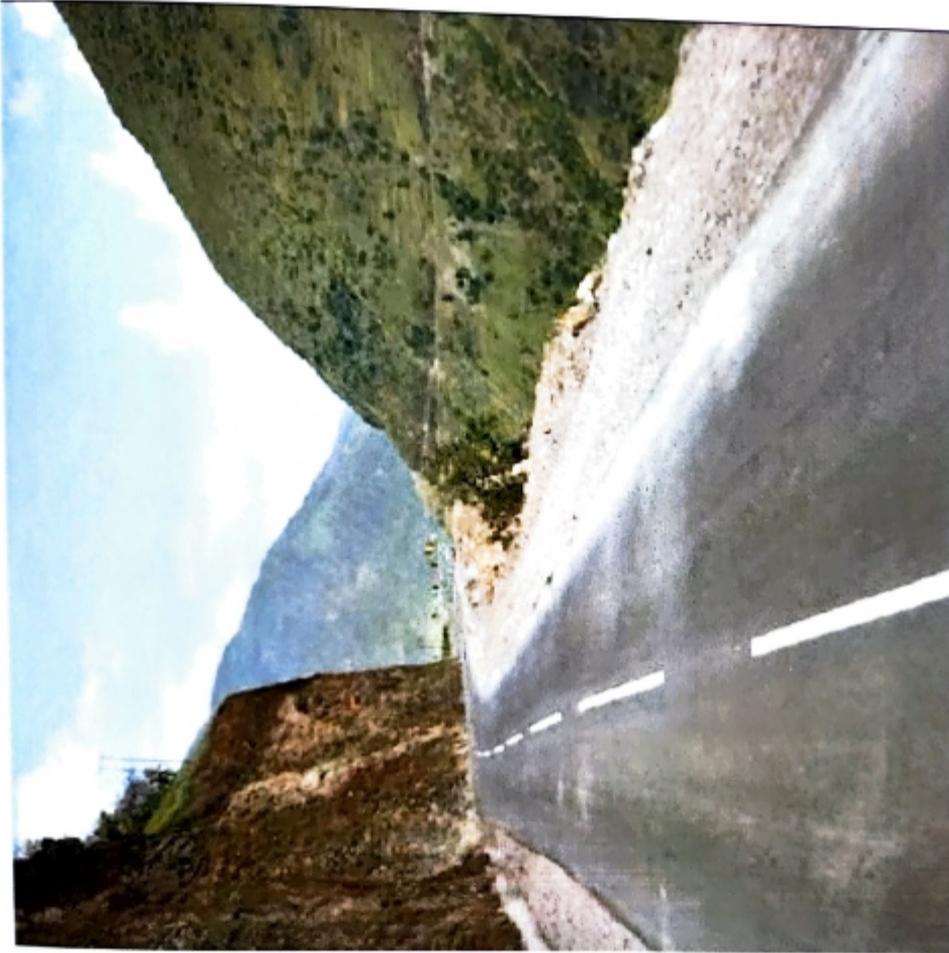


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SHIVALIK BUILDTech PVT. LTD.

BEFORE



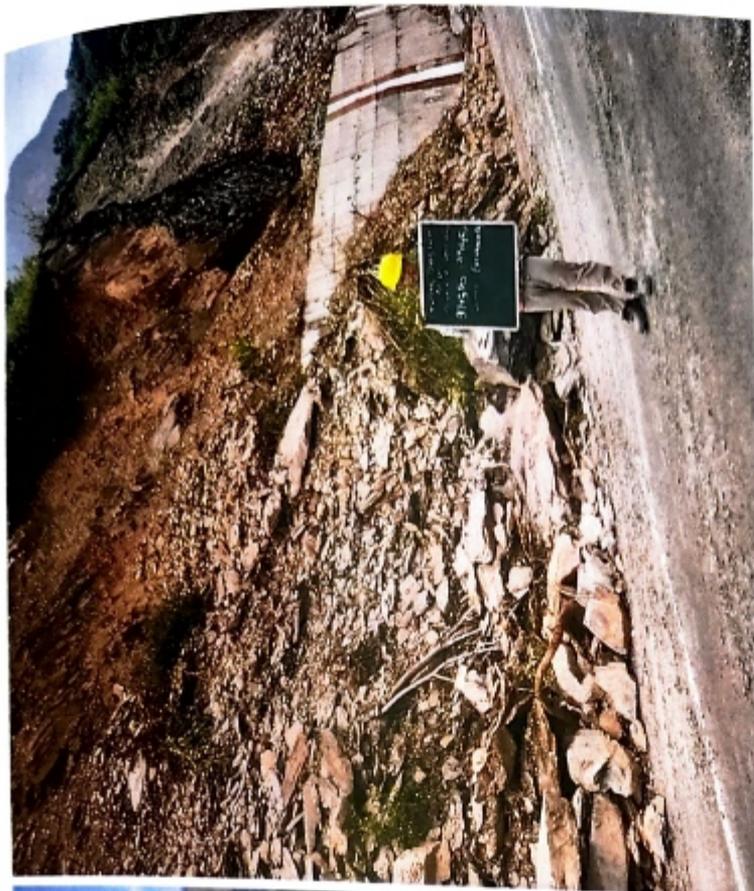
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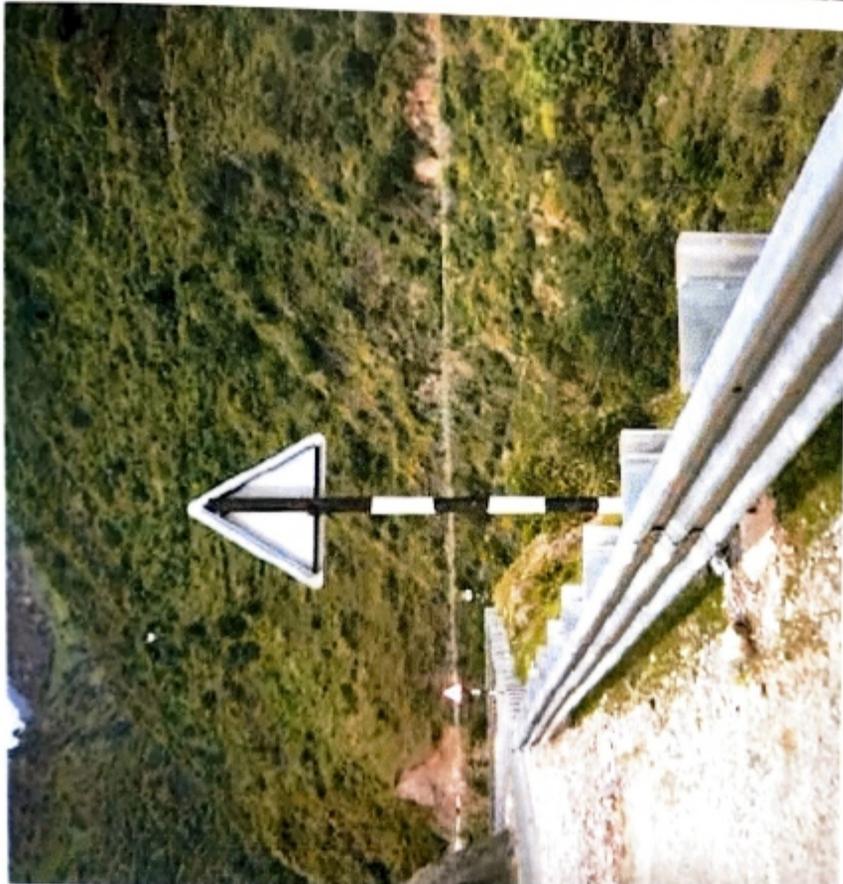
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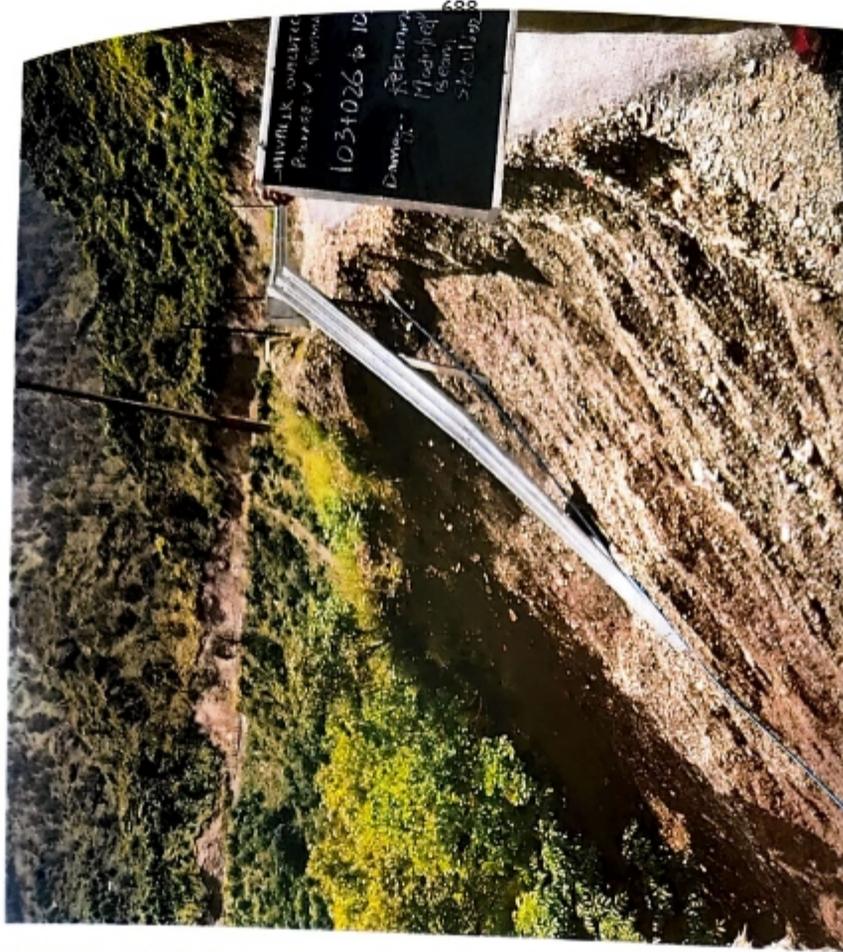
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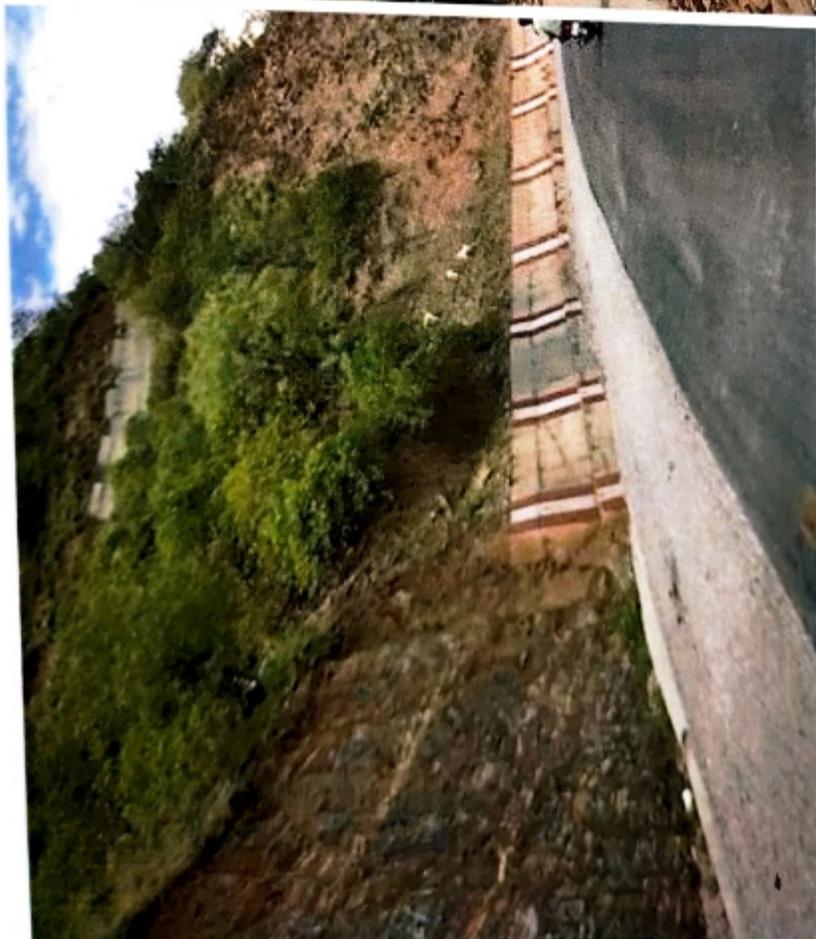
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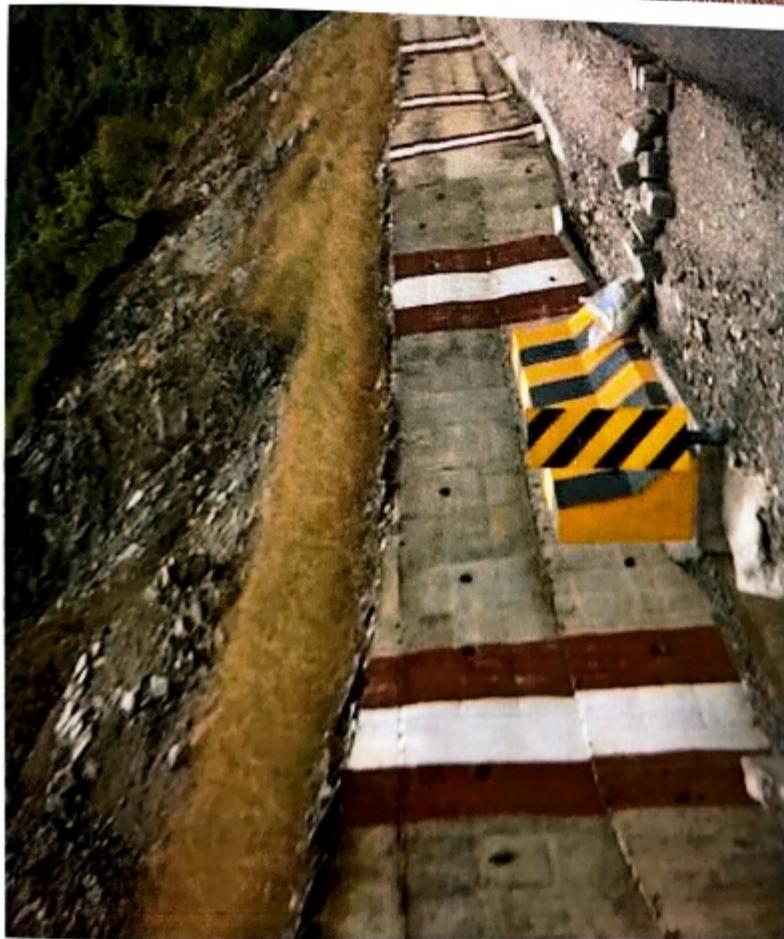


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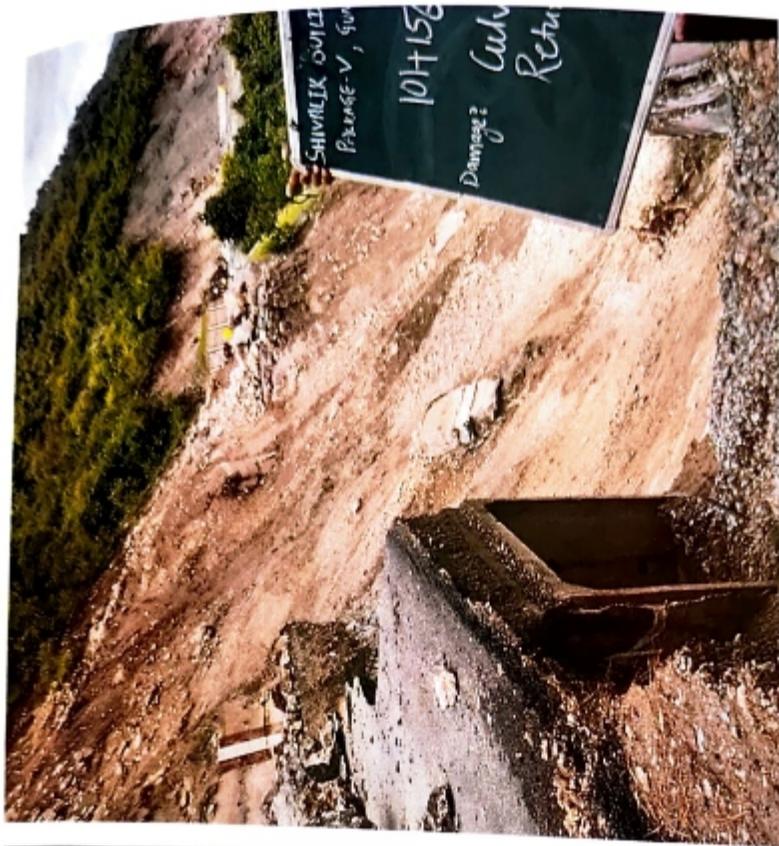


SHIVALIK BUILDTech PVT. LTD.

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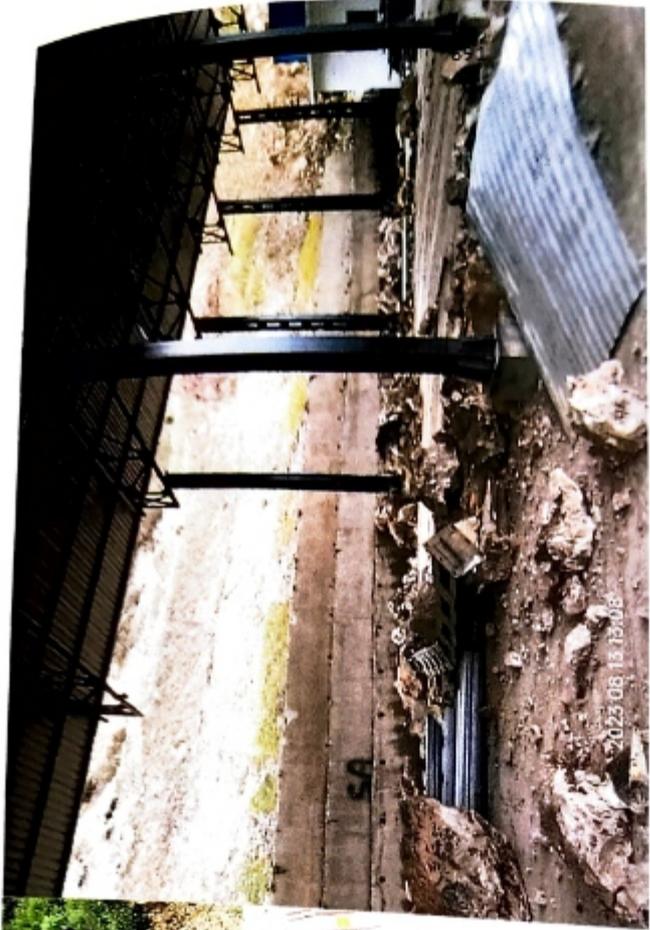
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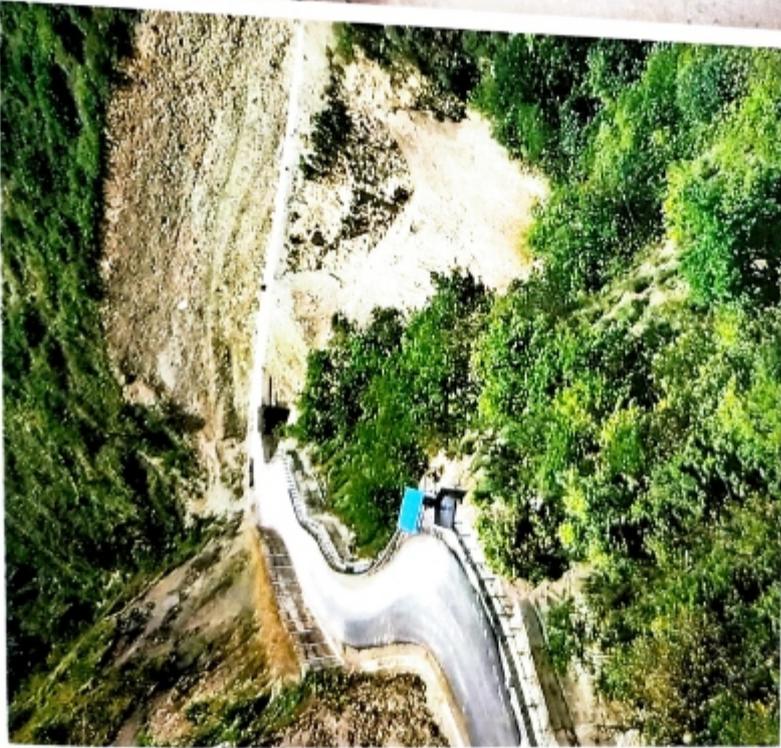


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SHIVALIK BUILDTech PVT. LTD.

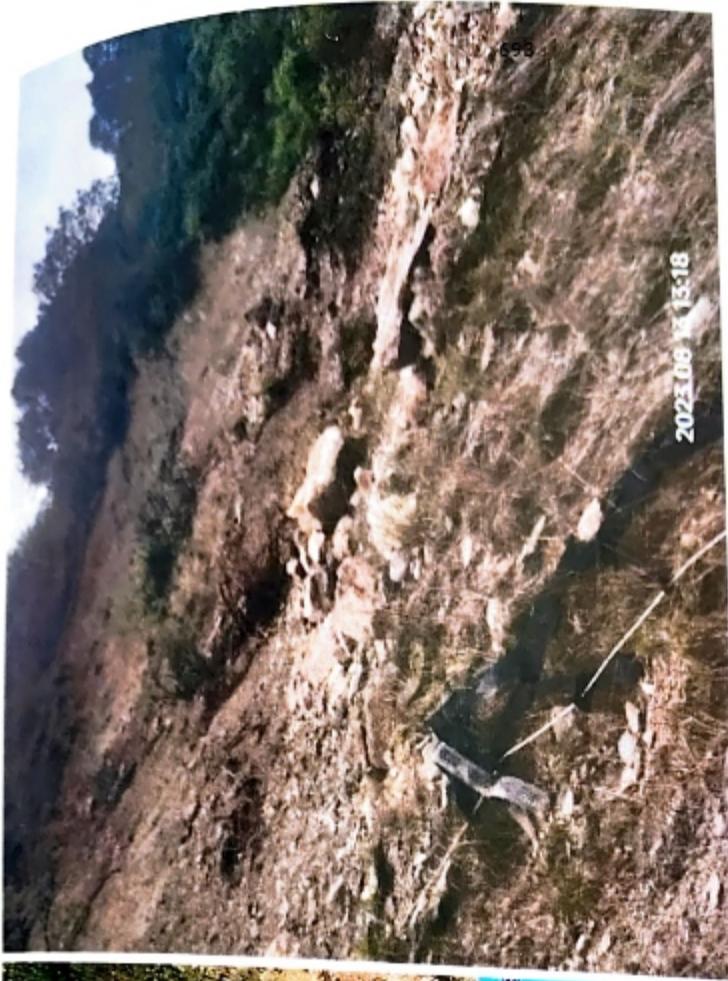
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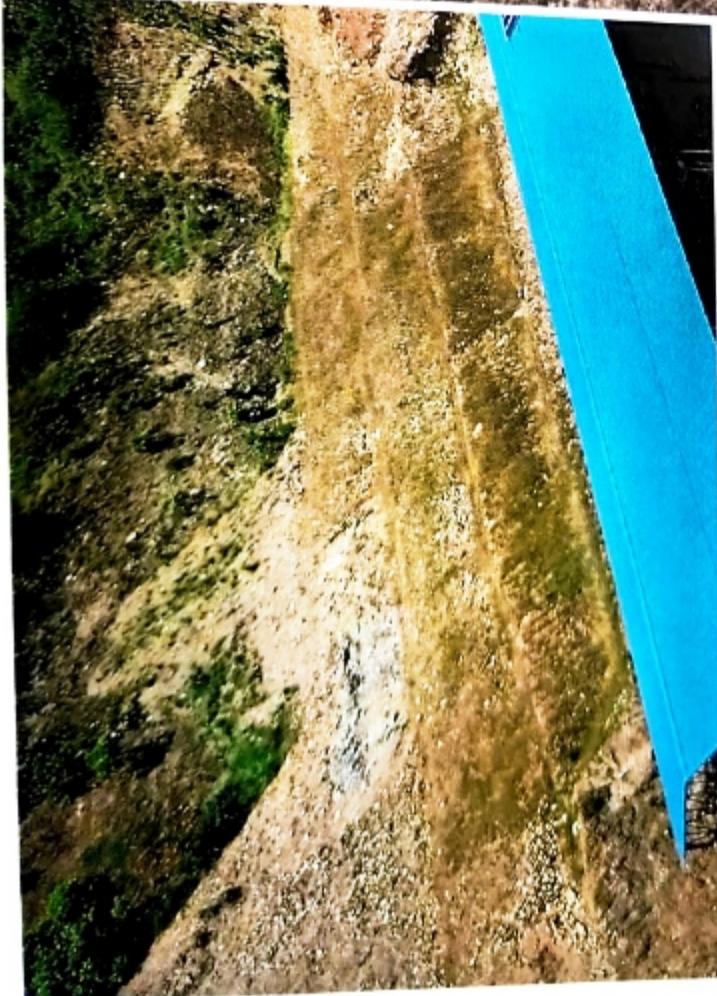
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AFTER



BEFORE



Treat it most urgent



## H.P. STATE POLLUTION CONTROL BOARD

Regional Office "HIM-PARIVESH", Phase III, BCS  
New Shimla-171009.

[www.hppcb.nic.in](http://www.hppcb.nic.in) e-mail: [pcbshimla@gmail.com](mailto:pcbshimla@gmail.com)



No. PCB-ROS/M/s Shivalik Buildtech Pvt. Ltd. (188)/2022- 2687-88

Dated: 07/03/24

To

**Managing Director,**  
M/s Shivalik Buildtech Pvt. Ltd.  
Up-Mohal Kyarla, Tehsil Nerwa and District Shimla (H.P) 171210.

**Subject: Show Cause notice under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & control of Pollution) Act, 1981 and C&D waste management Rules, 2016.**

Whereas it has been observed that you are violating the provisions of Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and C&D waste management Rules, 2016.

Whereas, directions were issued to you by this office vide letter no. 1057-58 dated 26.07.2023 to repair the damaged retaining structures at all the designated dumping sites before carrying any additional muck dumping. You were further directed to provide retaining structures at sites where landslides have taken place and take requisite remedial measures to retain the remaining muck. However, it has been observed during the routine inspection of **Nerwa-Fediz** area conducted on 06.03.2024 by the State Board Officers that directions issued earlier have not been complied with and huge quantity of muck is lying dumped along the river Tons at RD 102/200 near Fediz and RD 96/980 near village Gumma. Further, retaining structures provided at dumping site no. II near Kyarla have been washed away and debris has flown down the valley into the river. This debris may get washed away along with the rain into nearby river and deteriorate its water quality.

Whereas the above mentioned facts tantamount to the gross violation of the provisions of section 5 of C&D Waste Management Rules, 2016 besides provisions contained in Water (Prevention & control of Pollution) Act, 1974 and Air (Prevention & control of Pollution) Act, 1981.

Whereas Hon'ble NGT has passed the following orders on 29.07.2013 in the matter of "**Abhishek Rai Vs. State of HP & Ors.**"

*"..... We also direct all the authorities concerned to keep a strict vigil to prevent throwing of municipal solid waste, untreated sewage, effluent or other material/ construction material into river Beas. 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 bank will have to pay a sum of Rs. One lac as compensation for causing pollution the basis of Polluter Pay Principle".....*

Hence, it is proposed that Environmental Compensation be imposed upon you for utmost disregard towards environment.

However, before proceeding against you finally in the matter, you are hereby directed to repair the damaged retaining structures at all the designated dumping sites. You are further directed to provide retaining structures at site where landslides have taken place to retain the

**771** remaining muck. You are also directed to show cause to this office **within 15 Days** as to why action as proposed above shall not be initiated against you for above mentioned violations.

Please note that in event of non-compliance or unsatisfactory deposition, action as proposed shall be initiated against you without issuing any further notice.

  
**Environmental Engineer**  
**HP SPCB, RO- Shimla.**

**Copy To:-**

1. The Member Secretary HPSPCB for information, please.

  
**Environmental Engineer**  
**HP SPCB, RO- Shimla.**



# H.P. STATE POLLUTION CONTROL BOARD

Regional Office "HIM-PARIVESH", Phase III, BCS  
New Shimla-171009.



[www.hppcb.nic.in](http://www.hppcb.nic.in) e-mail: [pcbroschimla@gmail.com](mailto:pcbroschimla@gmail.com)

No. PCB-ROS/M/s Shivalik Buildtech Pvt. Ltd. (188)/2023- 2863

Dated: 23/03/24

To

**Managing Director,**  
M/s Shivalik Buildtech Pvt. Ltd.  
Up-Mohal Kyarla, Tehsil Nerwa and District Shimla (H.P) 171210.

**Subject: Show Cause notice under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & control of Pollution) Act, 1981 and C&D waste management Rules, 2016.**

Whereas it has been observed that you are violating the provisions of Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and C&D waste management Rules, 2016.

Whereas, directions were issued to you by this office vide letter no. 2687-88 dated 07.03.2024 to repair the damaged retaining structures at all the designated dumping sites. You were further directed to provide retaining structures at sites where landslides have taken place and take requisite remedial measures to retain the remaining muck. However, it has been observed during the inspection of *Nerwa-Fediz* area conducted on 22.03.2024 by the State Board Officers that directions issued earlier have not been complied with and huge quantity of muck is lying dumped along the river Tons at RD 102/200 near Fediz and RD 96/980 near village Gumma. Further, retaining structures provided at dumping site no. II near Kyarla have been washed away and debris has flown down the valley into the river. This debris may get washed away along with the rain into nearby river and deteriorate its water quality.

Whereas the above mentioned facts tantamount to the gross violation of the provisions of section 5 of C&D Waste Management Rules, 2016 besides provisions contained in Water (Prevention & control of Pollution) Act, 1974 and Air (Prevention & control of Pollution) Act, 1981.

Whereas Hon'ble NGT has passed the following orders on 29.07.2013 in the matter of "**Abhishek Rai Vs. State of HP & Ors.**"

*"..... We also direct all the authorities concerned to keep a strict vigil to prevent throwing of municipal solid waste, untreated sewage, effluent or other material/ construction material into river Beas. 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 bank will have to pay a sum of Rs. One lac as compensation for causing pollution the basis of Polluter Pay Principle".....*

Hence, it is proposed that Environmental Compensation amounting to Rs. 3 Lacs (for three sites) be imposed upon you for utmost disregard towards environment.

However, before proceeding against you finally in the matter, you are hereby directed to repair the damaged retaining structures at all the designated dumping sites. You are further directed to provide retaining structures at site where landslides have taken place to retain the remaining muck. You are also directed to show cause to this office **within 5 Days** as to why action as proposed above shall not be initiated against you for above mentioned violations.

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Please note that in event of non-compliance or unsatisfactory deposition, action as proposed shall be initiated against you without issuing any further notice.

167

**Environmental Engineer**  
**HP SPCB, RO- Shimla.**

QC

REGD.POST

HP State Pollution Control Board  
HIM Parivesh Bhawan, Phase-III, New Shimla-09  
Phone No. 0177-2673766, 2673020 FAX-0177-2673018

No./PCB/Misc Complaints(RO Shimla)/2023 - 17502-5 Dated: 28/3/2024

Show Cause Notice for violation of provisions under the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 and order passed by Hon'ble NGT in O.A No 256 of 2013 titled as **Abhishek Rai V/s State of H.P. & Ors**

To,

**Managing Director,**

M/s Shivalik Buildtech Pvt. Ltd.

Up-Mohal Kyarla, Tehsil Nerwa and District Shimla (H.P) 171210.

WHEREAS, as per the report of the Regional Officer, HPSPCB, Shimla vide letter No. PCB/ROS/M/s Shivalik Buildtech Pvt. Ltd.(188)/2023-~~2894~~ dated 28.03.2024, it has been informed that inspection of **Nerwa-Fediz** area was conducted on 22.03.2024 by the State Board Officers and it was observed that, huge quantity of muck is lying dumped along the river Tons and its tributaries/streams/nallah at RD 102/200 near **Fediz** and RD 96/980 near village **Gumma**. Further, retaining structures provided at dumping zone-II near **Kyarla** have been washed away and debris has flown down the valley into the river.

WHEREAS, RO HPSPCB, has already issued notice to you vide letter dated 07.03.2024 & 23.03.2024 to repair the damaged retaining structures at all the designated dumping sites. You are further directed to provide retaining structures at site where landslides have taken place to retain the remaining muck.

WHEREAS, Hon'ble NGT has passed the following orders on 29.07.2013 in the matter of "**Abhishek Rai Vs. State of HP & Ors.**"

*"..... We also direct all the authorities concerned to keep a strict vigil to prevent throwing of municipal solid waste, untreated sewage, effluent or other material/ construction material into river Beas. 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 bank will have to pay a sum of Rs. One lac as compensation for causing pollution the basis of Polluter Pay Principle" .....*

WHEREAS, the fact stated above tantamount to violation of the provisions under the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 and directions of the Hon'ble NGT in its order dated 29.07.2013 in O.A No 256 of 2013 titled as "**Abhishek Rai V/s State of H.P. & Ors**".

However, before proceeding against you finally in the matter, you are hereby directed to repair the damaged retaining structures at all the designated dumping sites. You are further directed to provide retaining structures at site where landslides have

167  
28.3.24

taken place to retain the remaining muck. You are also directed to show cause to this office within **3 Days** as to why action as proposed above shall not be initiated against you for above mentioned violations.

Please note that in event of non-compliance or unsatisfactory deposition, action as proposed shall be initiated against you without issuing any further notice.

(Anil Joshi, IFS)  
Member Secretary  
HPSPCB, Shimla.

Copy to:-

1. **The Regional Officer, HPSPCB Shimla-** to ensure the remedial action taken by the unit and submit the compliance report to this office within **3 days**.
2. **The Environmental Engineer (HQ)** for information, please.
3. **The System Manager (IT), HPSPCB, Shimla** for information.
4. Case file.

(Anil Joshi, IFS)  
Member Secretary  
HPSPCB, Shimla.  
mshppcb@gmail.com



## H.P. STATE POLLUTION CONTROL BOARD

Regional Office "HIM-PARIVESH", Phase III, BCS  
New Shimla-171009.



[www.hppcb.nic.in](http://www.hppcb.nic.in)-mail: [pcbroschimla@gmail.com](mailto:pcbroschimla@gmail.com)

No. PCB-ROS/C&D/2023-

2869

Dated: 23-03-2024

To

**Managing Director,**

M/s PRL Projects and Infrastructure Ltd. &  
Dhatarwal Construction Company Pvt Ltd. JV,  
Near Minus Bridge, Mauza Kharkah,  
Tehsil Shillai, District Sirmaur H.P.

**Subject: Show Cause notice under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & control of Pollution) Act, 1981 and C&D waste management Rules, 2016.**

Whereas it has been observed that you are violating the provisions of Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and C&D waste management Rules, 2016.

Whereas, directions were issued to you by this office vide letter no. 1069 dated 28.07.2023 to lift the muck dumped in an unscientific manner along NH 707 and dispose it off at designated dumping sites. You were further directed to provide retaining structures at sites where landslides have taken place and take requisite remedial measures to retain the remaining muck. However, it has been observed during the routine inspection of **Gumma-Minus** area conducted on 22.03.2024 by the State Board Officers that directions issued earlier have not been complied with and huge quantity of muck is lying dumped along the river Tons at RD 93/960 near Rohana, RD 90/800 at Rohana, RD 88/600 and RD 86/800 near Minus. This debris may get washed away along with the rain into nearby river and deteriorate its water quality.

Whereas the above mentioned facts tantamount to the gross violation of the provisions of section 5 of C&D Waste Management Rules, 2016 besides provisions contained in Water (Prevention & control of Pollution) Act, 1974 and Air (Prevention & control of Pollution) Act, 1981.

Whereas Hon'ble NGT has passed the following orders on 29.07.2013 in the matter of "**Abhishek Rai Vs. State of HP &Ors.**"

"..... We also direct all the authorities concerned to keep a strict vigil to prevent throwing of municipal solid waste, untreated sewage, effluent or other material/ construction material into river Beas. 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 bank will have to pay a sum of Rs. One lac as compensation for causing pollution the basis of Polluter Pay Principle" .....

Hence, it is proposed that Environmental Compensation be imposed upon you for utmost disregard towards environment.

However, before proceeding against you finally in the matter, you are hereby directed to provide retaining structures at sites where debris is lying unprotected to retain the remaining muck. You are also directed to show cause to this office **within 5 Days** as to why action as proposed above shall not be initiated against you for above mentioned violations.

Please note that in event of non-compliance or unsatisfactory deposition, action as proposed shall be initiated against you without issuing any further notice.

  
Environmental Engineer  
9/23 HP SPCB, RO- Shimla.



## H.P. STATE POLLUTION CONTROL BOARD

Regional Office "HIM-PARIVESH", Phase III, BCS  
New Shimla-171009.

[www.hppcb.nic.in](http://www.hppcb.nic.in)-email: [pcbroschimla@gmail.com](mailto:pcbroschimla@gmail.com)



No. PCB-ROS/C&D/2023-24/ 2900-01

Dated: 28/03/2024

To

**Managing Director,**

M/s PRL Projects and Infrastructure Ltd. &  
Dhatarwal Construction Company Pvt Ltd. JV,  
Near Minus Bridge, Mauza Kharkah,  
Tehsil Shillai, District Sirmaur H.P.

**Subject: Show Cause notice under Water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & control of Pollution) Act, 1981 and C&D waste management Rules, 2016.**

Whereas it has been observed that you are violating the provisions of Water (Prevention and Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and C&D waste management Rules, 2016.

Whereas, directions were issued to you by this office vide letter no. 1069 dated 28.07.2023 and 2869 dated 23.03.2024 to lift the muck dumped in an unscientific manner along NH 707 and dispose it off at designated dumping sites. You were further directed to provide retaining structures at sites where landslides have taken place and take requisite remedial measures to retain the remaining muck. However, it has been observed during the routine inspection of **Gumma-Minus** area conducted on 28.03.2024 by the State Board Officers that directions issued earlier have not been complied with and huge quantity of muck is still lying dumped along the river Tons at RD 93/960 near Rohana, RD 90/800 at Rohana, RD 88/600 and RD 86/800 near Minus. This debris may get washed away along with the rain into nearby river and deteriorate its water quality.

Whereas the above mentioned facts tantamount to the gross violation of the provisions of section 5 of C&D Waste Management Rules, 2016 besides provisions contained in Water (Prevention & control of Pollution) Act, 1974 and Air (Prevention & control of Pollution) Act, 1981.

Whereas Hon'ble NGT has passed the following orders on 29.07.2013 in the matter of "**Abhishek Rai Vs. State of HP &Ors.**"

*"..... We also direct all the authorities concerned to keep a strict vigil to prevent throwing of municipal solid waste, untreated sewage, effluent or other material/ construction material into river Beas. 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 bank will have to pay a sum of Rs. One lac as compensation for causing pollution the basis of Polluter Pay Principle" .....*

Hence, it is proposed that Environmental Compensation be imposed upon you for utmost disregard towards environment.

However, before proceeding against you finally in the matter, you are hereby directed to provide retaining structures at sites where debris is lying unprotected to retain the remaining muck. You are also directed to show cause to this office **within 5 Days** as to why action as proposed above shall not be initiated against you for above mentioned violations.

Please note that in event of non-compliance or unsatisfactory deposition, action as proposed shall be initiated against you without issuing any further notice.

Environmental Engineer  
HP SPCB, RO- Shimla.

**Copy To:-**

1. The Member Secretary HPSPCB for information, please.

Environmental Engineer  
HP SPCB, RO- Shimla.