

**BEFORE THE PRINCIPAL BENCH OF NATIONAL GREEN
TRIBUNAL AT DELHI**

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

In the matter of:

Court on its own motion

.....Petitioner

Versus

State of H.P &Ors.

.....Respondents

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Settled By:

Filed by

(VikasMahajan)
Senior Advocate
Addl.Advocate General
Place:New Delhi
Date ~~25~~10.2021.

(ViditAnand)
Advocate for the Respondents


Addl. Secretary (EST)
to the Govt. of H.P.

**BEFORE THE PRINCIPAL BENCH OF NATIONAL GREEN
TRIBUNAL AT DELHI**

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

In the matter of:

Court on its own motion

.....Petitioners

Versus

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

.....Respondents

**STATUS REPORT IN COMPLIANCE TO THE ORDERS OF THE
HON'BLE NGT DATED 20.11.2017, 09.10.2018, 10.10.2019 AND IN
COMPLIANCE TO THE Latest ORDER DATED 08-06-2021 IN O.A.
389/2018 [Earlier O.A No. 237/2013(THC)].**

MAY IT PLEASE YOUR LORDSHIPS:

This Hon'ble Tribunal vide order dated 20.11.2017 had directed the State Government to file quarterly status report on the steps taken for the implementation of the directions passed by the Hon'ble Tribunal and also directed vide order dated 09.10.2018 in O.A. 389/2018 [earlier 237/2013] to file periodic reports on the progress made on the implementation of the orders of the Hon'ble


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Tribunal. State has been filing periodic status reports in compliance to these orders.

The Hon'ble Tribunal vide latest order dated 08.06.2021 has directed as under:

"We have considered the report. It is seen that the ropeway project has not been completed for want of requisite EC. Steps are in progress for setting up of STP at Marhi and upgradation of STP at Manali, for parking facilities, Solid Waste Management facility, Nature Park, Electric Buses. The said steps need to be expedited. We find it difficult to understand the delay in grant of electric connection to the STP at Marhi. With regard to the upgradation of STP at Manali, though it is stated that the work was likely to be completed by June, 2021, the latest status is not known. Steps for Solid Waste Management facility at Manali and other pending jobs need to be expedited. Let all the same be monitored at the level of Chief Secretary, H.P. and compliance ensured in a time bound manner. Final compliance report may be filed before the next date by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF".

In compliance to the aforesaid order first Review meeting of all stakeholders was convened on 12-07-2021 under the Chairmanship of the then Principal Secretary (EST). After the first Review meeting, internal review was also taken by the Chief Secretary. Thereafter a detailed second Review meeting with all stakeholders was held on 14-10-2021 under the Chairmanship of the Additional Chief Secretary (EST). The minutes of the first Review meeting and the second Review meeting are attached hereto as **Annexure-I** and **Annexure-II**, respectively. All the pending works were discussed threadbare in both these Review meetings as well as during an internal review held by the Chief Secretary.


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The Department wise steps taken/Compliance Status with respect to implementation of the orders of the Hon'ble National Green Tribunal is submitted as under:

[A] Local Administration /Deputy Commissioner, Kullu

The Deputy Commissioner Kullu has submitted the following status of compliance on the implementation of the directions of the Hon'ble Tribunal during the Review meetings.

(i) Ropeway from Palchan to Rohtang

It is submitted that the FCA Stage-II Approval for the Ropeway project has been duly granted on 19th February, 2021 after obtaining permission from the Hon'ble Supreme Court. Regarding removal of trees falling in the Ropeway alignment, CCF Kullu informed that they have already requested the M/s Manali Ropeway Limited (Project Proponent) to indicate the trees within the diverted land which are needed to be removed for setting up of this Ropeway. Hammer for marking of trees stands already issued to the concerned field staff and the Forest Department is in full readiness to process the tree removal. However, Sh. Amitabh Sharma representing M/s Manali Ropeway Limited informed that soil stability tests at various locations are still being carried out in the area and they will be in position to finalize the individual trees to be felled after completion of these tests within one to two months. 550 trees are to be felled out of total 1355 trees coming in the alignment of the Ropeway.

Sh. Amitabh was further asked to update about the status of the Environment Clearance (EC) of this project since some


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information was sought by the Ministry from the Project Proponent as was discussed during the review meeting on 12-07-2021. He informed that the Terms of Reference (TOR) approved by the Ministry have expired and the entire process has to be initiated *denovo*. Getting fresh approval of the TOR from the MoEF&CC, GOI is time consuming. In this situation they are not in a position to implement this project within the stipulated time period though they are keen to implement this project. He requested that the State Government should also write to the Ministry to allow them to go ahead with the same TOR approved previously. He further submitted that since the Ropeway projects are carbon neutral projects and environment friendly and especially in this crucial matter of Rohtang area, the existing TOR may be taken into consideration by the MoEF&CC, GOI. Sh Amitabh was further asked that why this issue was not flagged during the previous meeting on 12-07-2021. He replied that earlier he was not aware of it. It was also discussed that the agreement has been signed by the Project Proponent with the Tourism Department and it is also the responsibility of the Tourism Department to facilitate the clearances. The representative of the Tourism Department informed that the Project Proponent never raised his concern with them.

After detailed discussion, it was decided that the Project Proponent should immediately give details of the trees to be removed to the Forest Department and shall also formally write to the Tourism Department about the challenges being faced in getting the Environment Clearance. The Tourism Department on merit may consider recommending the request of the Project Proponent to


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Govt. of India. The Chairman of the review meeting held on 14.10.2021 emphasized the need to take proactive steps in securing the EC at the earliest as all other clearances are in place.

(ii) Construction of Sewage Treatment Plant at Marhi

DC Kullu apprised that the STP at Marhi has been completed by the Jal Shakti Vibhag and the Sr. Executive Engineer, Electrical Division, HPSEBL, Manali has released the electricity connection to the Sewerage Treatment Plant, Marhi on 27.09.2021. The testing of the STP at Marhi has been done and it is made operational.

(iii) Improvement/Up-gradation of Sewage Treatment Plant at Manali

The Deputy Commissioner, Kullu informed that as per the information from the Executive Engineer, Jal Shakti Division No.1, Kullu, the work is in progress and is likely to be completed by 31.12.2021. During the last meeting on 12-07-2021, it was decided to complete the work by 31st August, 2021.

Later, on 14.10.2021 a review meeting was convened on the matter and discussion were made with the concerned authorities and it was decided that the matter should be reviewed by the Secretary, Jal Shakti Vibhag at his level and the work be expedited and completed by all means at the earliest and in any case not later than 30th November, 2021.

(iv) Development of Parking Facilities

The DC, Kullu apprised that as per the information of the DTDO, Kullu, the construction of parking facility at Gulaba Barrier


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U.P. Sect. Shimla

has been completed and is made functional at the site by HPPWD. Two more parking facilities have already been developed near Gulaba which are also operational to cater to the present needs. No further action is required to be taken.

(v) **Construction of Eco- friendly market at Marhi and allotment of Restaurants /Shops at Marhi**

The DC, Kullu informed that the construction work of Eco-Friendly Market including fourteen restaurants and two stalls consisting of three shops each have been already completed and allotment process is also completed in transparent manner. He further informed that the allottees have been given electric connections to their respective shops and the Eco-Friendly market will be made fully functional within a week's time. The Chairman directed the Deputy Commissioner, Kullu to submit compliance report.

[B] **Urban Development Department**

(i) **Development of Solid Waste Management Facility at Manali**

The Director, Urban Development (UD) informed that there are two sections of this Solid Waste Management Facility at Manali. The first section of the facility is already operational and the Refuse Derived Fuel (RDF) produced in the process is being transported to ACC, Barmana Cement Plant. The second section of this facility which involves conversion of waste to energy is yet to be completed. The Director, UD further apprised that the MC Manali has issued notice to the person whom the tender was awarded to complete the


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H.P. Sect. Office

second section of this facility. In response, he has informed that he is facing financial problems and there are challenges in implementing this part of the project. He further informed that all the waste is being collected and disposed of properly. It was also discussed that previous experience of waste to energy projects is not encouraging and these are not very successful.

After detailed discussion, the Chairman directed the Director, Urban Development Department to give the complete status on the challenges being faced in the implementation of the second section. UD Department was also directed to ensure that all the waste be collected and disposed of properly.

[C] Forest Department

(i) **Establishment of Nature Park at Gulaba**

CCF Kullu informed that the estimate to develop the Nature Park at Gulaba was Rs. One Crore Fourty Eight Lacs. Rs. 35 Lakhs have been provided by DC Kullu from Green Tax Fund and Rs. 20 Lakhs were received from NPV under CAMAPA Fund during the Financial Year 2020-21. Further the funds amounting Rs 25 lakhs have been received from the Deputy Commissioner, Kullu during the current Financial Year 2021-22 for development of the aforesaid Park. Total Rs 80 Lakhs have been utilized till date. Rs. 30 Lakhs have been demanded from CAMPA Fund for execution of some pending works.


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Kullu District

The Chairman directed that CCF Kullu should again request the CAMPA authorities for allocating funds for completion of pending works. The completed phase be put to use at the earliest.

[D] Transport Department

(i) Operation of Electric Buses

The representative of the Transport Department submitted that there are 25 electric buses which are operated on Manali-Rohtang stretch by the Himachal Pradesh Transport Corporation (HRTC). Seven charging points have been provided at Manali, four at Kullu and four at Mandi for the smooth operation of these Electric Buses. These Buses are operated on this route as per the need and during the lean season when tourists are not available these buses are plied on other routes in Kullu and Mandi Districts. The Chairman expressed his satisfaction and further directed that maximum use of electric buses be encouraged by the Transport Department.

(ii) Installation of Weigh in Motion


To comply with the direction of Hon'ble National Green Tribunal, the Weigh-in-Motion has already been installed by the Transport Department at its barrier at Bhang and is fully operational.

(D) H.P. State Pollution Control Board

(i) Ambient Air Quality Monitoring

The Member-Secretary, HPPCB submitted that the Regional Office, Kullu is continuously monitoring Ambient Air Quality of Rohtang area at all specified locations, along with the vehicular


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Emission Checking-cum-Awareness. He further informed that the AAQ parameters such as NO_x and SO₂ are within prescribed limits.

Ambient Air Quality Monitoring Data of Rohtang Area for the month of Septmeber, 2021.

Sr. No	Location	Date	Time	Results in ug/m ³					
				RSPM	NO _x		SO ₂		NH ₃
1.	Bahang	01.09.2021	08:00AM-04:00 PM	54.55	BDL	BDL	BDL	BDL	1.35
		09.09.2021	08:00AM-04:00 PM	34.55	BDL	---	BDL	--	2.23
		15.09.2021	08:00AM-04:00 PM	44.13	BDL	BDL	BDL	BDL	1.07
		25.09.2021	08:00AM-04:00 PM	40.91	BDL	---	BDL	---	2.58
2.	Gulaba	01.09.2021	08:00AM-04:00 PM	27.27	---	BDL	BDL	---	1.81
		09.09.2021	08:00AM-04:00 PM	22.36	BDL	--	BDL	---	3.73
		15.09.2021	08:00AM-04:00 PM	25.38	BDL	---	BDL	---	2.19
		25.09.2021	08:00AM-04:00 PM	27.84	BDL	---	BDL	---	2.10
3.	Marhi	01.09.2021	10.00AM-05.00PM	20.08	BDL	---	BDL	---	1.44
		09.09.2021	10.00AM-05.00PM	21.67	BDL	---	BDL	---	1.24
		15.09.2021	10.00AM-05.00PM	34.09	BDL	---	BDL	---	0.88
		25.09.2021	10.00AM-05.00PM	20.08	BDL	---	BDL	---	1.43
4.	Rohtang	01.09.2021	11.00AM-02.00PM	25.57	BDL	---	BDL	----	2.04
		15.09.2021	11.00AM-02.00PM	34.09	BDL	-----	BDL	-----	1.56

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

(ii) **Vehicular Emission Checking-cum Awareness**

Camps were organized at Bahangbarrier, in association with Transport Department & Police authorities on dated 01.09.2021, 09.09.2021, 15.09.2021 & 25.09.2021 regarding Vehicular Emission Checking-cum Awareness.

The details of Vehicular emission checking done by the RTO Kullu are given below:

Sr.No.	Month	Total Diesel Vehicle Checked for PUC certificate	Diesel for	Diesel Vehicle Checked by Pollution	Total Diesel Vehicle Checked for PUC	Diesel Vehicle Checked for Pollution	Total Vehicle Challan
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Addl. Secretary (EST)
to the Govt. of H.P.

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H.P. Sectl. Shimla

			Check Machine	certificate	Check Machine	
1.	July,21	5664	198	1843	179	NIL
2.	August,21	985	56	266	40	NIL
3.	September,21	2039	104	743	111	NIL
	TOTAL	8688	358	2852	330	NIL

Furthermore, details of random checking of vehicles carried by the HPSPCB, Regional office Kullu are given under:

Date of Inspection	No. of vehicles checked	No. of Vehicles found with PUC/meeting Emission Norms	No. of Vehicles without PUC/violating Emission Norms
01.09.2021	81	81	Nil
09.09.2021	80	80	Nil
15.09.2021	67	67	Nil
25.09.2021	106	106	Nil

(iii) Sewage Treatment Plant Manali

The HPPCB, Regional Office, Kullu is inspecting the Sewage Treatment Plant on monthly basis and also collecting samples which are being analyzed at Regional Laboratory, Sundernagar and results are as below.

Sr. No.	Date of collection	BOD	COD	O&G	pH	TSS	Limit
1.	10-7-2021	10.0	72.0	0.4	7.58	53.0	Within limit
2.	9-08-2021	27.0	196.0	3.2	6.78	88.0	Within limit
3.	07-09-2021 (final outlet of STP)	42.0	172.0	2.0	6.23	87.0	BOD not within Permissible Limit. (permissible limit 30.0mg/l)

The results of monthly samples collected from the STP Manali are also within permissible limits except for one parameter i.e. BOD level particularly in the month of September, 2021. Asstt. Environmental Engineer, Pollution Control Board has issued Show Cause Notice to the Jal Shakti Vibhag in this regard.


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to the Govt. of H.P.

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H.P. Sectt. Shimla

The Chairman directed that regular inspections and monitoring be ensured. The report submitted by the HPPCB be taken on record. The Jal Shakti Vibhag be asked to take immediate corrective steps to control the BOD level.

The Chairman emphasized that the compliances of the Hon'ble NGT order be ensured by all the concerned Departments/Stakeholders with utmost sincerity.

PRAYER

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

ATTESTED
[Signature]
Executive Magistrate,
H.P. Sect. Shimla

Through

[Signature]
Respondent(s)

**Add. Secretary (EST)
to the Govt. of H.P.**

(VIDIT ANAND)
Advocate for the Respondents

(VIKAS MAHAJAN)
Additional Advocate General

Dated : 25-10-2021
Shimla:

BEFORE THE PRINCIPAL BENCH OF NATIONAL GREEN TRIBUNAL AT DELHI

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

In the matter of:

Court on its own motionPetitioners

Versus

State of H.P&Ors.Respondents

AFFIDAVIT

I, Satpal Dhiman S/o Sh. Lt. Nand Lal Dhiman, aged 50 years presently posted as Additional Secretary (Environment Science & Technology) to the Government of Himachal Pradesh at Shimla, do hereby solemnly affirm and declare on oath as under:

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

DEPONENT
Addl. Secretary (EST)
to the Govt. of H.P.

VERIFICATION

Verified at Shimla on 25th day of October 2021, that the contents of the above Status Report on affidavit are correct to best of my knowledge and belief, as derived from official record and nothing material has been concealed there from.

DEPONENT
Addl. Secretary (EST)
to the Govt. of H.P.

6/2/2021
Declared before me on 25th day of OCT
2021 on oath (Solemnly affirmation)
by Shri Satpal Dhiman
who is personally known to the or who
has been identified by Sh. Addl. Secy
who is Personally known to me.
(Env. & Geo Tech)
M.P.

Executive Magistrate
Shimla

ATTESTED

Executive Magistrate,
H.P. Sectt. Shimla

MINUTES OF THE REVIEW MEETING REGARDING IMPLEMENTATION OF THE ORDERS OF THE HON'BLE NATIONAL GREEN TRIBUNAL IN O.A No. 389/2018 (earlier O.A. No 237/13) HELD UNDER THE CHAIRMANSHIP OF PRINCIPAL SECRETARY (ENV.S&T) TO GOVT. OF H.P IN THE COMMITTEE ROOM, ARMSDALE BUILDING H.P. SECRETARIAT ON 12-07-2021 AT 3:30 P.M.

This list officers who participated in this meeting is attached as Annexure-I

At the outset, Joint Secretary (EST) welcomed the Chairman and the officers who participated in this meeting. He briefed about the background of this NGT matter and highlighted the latest order passed by the Hon'ble NGT on 08-06-2021. He informed that final compliance has to be filed before the next date of hearing i.e 26-10-2021. The Chairman requested all the stakeholder Departments to ensure that the timelines for compliance of the Hon'ble NGT may be adhered to with due diligence. Thereafter activity wise Agenda was taken up one by one.

1. Ropeway from Palchan to Rohtang

Joint Secretary (EST) informed that FCA stage Approval-II and subsequent approval of this project from Hon'ble SC has already been obtained. Mr. Amitabh Sharma, Manali Ropeways Pvt. Ltd. who was present through VC apprised that now the trees falling in the alignment need to be felled. DFO Kullu informed that process of removal of trees has been initiated and these will be removed by the Forest Corporation shortly. It was pointed out by the Joint Secretary (EST) that Environment Clearance (EC) of this project is still pending. The updated record of EC on web portal of MoEF&CC shows that additional details sought by the ministry have not been supplied by the Project Proponent. On this the Project Proponent informed that details sought by the ministry have been shared with them but the same has not been updated on the website of MoEF&CC. He informed that he is pursuing this matter in the MoEF&CC.

The Chairman requested the Project Proponent to obtain EC at the earliest and start the work of Ropeway. DC Kullu was also requested to monitor this issue and ensure time bound compliance.

2. Construction of Sewerage Treatment Plant at Marhi.

Executive Engineer of Jal Shakti Vibhag informed that Sewerage Treatment Plant at Marhi has been completed by Jal Shakti Vibhag. The same could not be made functional due to non-availability of power supply/electric connection. The Chairman emphasised that Hon'ble NGT in its order dated 08-06-2021 has shown concern as to why there is delay in grant of electric connection to the STP at Marhi. The Executive

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Attested
[Signature]

Section Officer (Env. S&T)
H.P. Sectt. Shimla - 2

Engineer informed that they have submitted the estimate to the HPSEB and process to obtain electric connection is ongoing.

The Chairman directed that the process of obtaining electric connection be completed and STP be made functional by 31-08-2021. DC Kullu will monitor it personally.

3. Improvement/Up gradation of Sewerage Treatment Plant at Manali.

Executive Engineer of Jal Shakti Vibhag (JSV) informed that the tender has been awarded to M/s SS Engineering Corporation, D-123, Sector-7 Noida 201301, Dist Gautam Budh Nagar (UP). The work is in progress.

The Chairman told that as per the timelines given by the JSV this work should be completed by 30-06-2021. Executive Engineer informed the some delay has been caused due to labour issues during lockdown. The Chairman directed that the work be expedited immediately and completed by all means latest by 31th August, 2021.

4. Development of Solid Waste Management Facility at Manali.

Representative of Urban Development Department informed that the Municipal Corporation Manali has signed a Memorandum of Understanding (MOU) with M/s Nextgen Chemicals Pvt.Ltd. on 05-08-2017 to setup Waste to Energy Plant (second section of the facility) of the capacity to treat 35 Tons of waste/garbage per day to generate 1MW electricity. Efforts are being made to set up the second section. The first section of this facility is already operational and the Refuse Derived Fuel (RDF) produced in the facility is being sent to ACC Barmana Cement Plant. The Chairman directed that steps for Solid Waste Management Facility at Manali be expedited and the work of second section be completed latest by the 30th September, 2021. The Chairman further directed the Deputy Commissioner, Kullu to review the progress at his level and ensure time bound compliance.

5. Development of Parking Facilities.

The District Tourism Development Officer, Kullu informed that the construction of parking facility at Gulaba Barrier has been completed and is made functional at the site by HPPWD. Two more Parking facilities have already been developed near Gulaba which are also operational to cater to the present needs. The Chairman expressed his satisfaction on the progress.

6. Construction of Eco-friendly market at Marhi.

The construction work of Eco-Friendly Market including fourteen restaurants and two stalls consisting of three shops each have been already completed and allotment

process of these restaurants and stalls have already been completed in transparent manner as informed in the earlier status report. The DTDO, Kullu had informed vide dated 11.06.2021 that the SDM Manali-cum-Chairman of Allotment Committee of Eco-Friendly Market, Marhi has requested the allottees to apply for electricity connections to their respective shops/restaurants to make them operational. The Chairman directed the Deputy Commissioner to ensure that the Eco-friendly market be made functional.

7. Establishment of Nature Park at Gulaba.

DFO Kullu informed that the estimate to develop the Nature Park Gulaba was Rs. One Crore fourty eight lacs. Rs. 35 Lakhs have been provided by DC Kullu from Green Tax Fund and Rs.20 Lakhs were received from NPV Fund for development of the aforesaid Park. He informed that more funds are needed to complete the remaining works.

The Chairman directed the Deputy Commissioner, Kullu to look into the funding issue and resolve it. He further directed that DFO should also access some funds from the Forest Department to complete the works of this Park.

8. Operation of the Electric Buses.

The representative of the Transport Department submitted that after successful trial of operation of electric buses on Rohtang Stretch, 25 Electric Buses were procured by the Himachal Pradesh Transport Corporation (HRTC). Seven charging points have been provided at Manali, four at Kullu and four at Mandi for the smooth operation of the Electric Buses. These buses are plied on Rohtang Stretch as per need. During lean season when tourists are not available, these buses are plied on other routes in Kullu and Mandi Districts.

9. Installation of Weigh in Motion

The representative of the Transport Department informed that Weigh-in Motion has already been installed at its barrier at Bhang and is fully operational. It was decided that no further action is required as the order of the Hon'ble NGT w.r.t this item stands complied.

10. Ambient Air Quality Monitoring by the HP State Pollution Control Board.

The Member Secretary, HPSPCB informed that the Regional Office, Kullu is continuously monitoring Ambient Air Quality of Rohtang area at all specified locations i.e. Bahang, Gulaba, Marhi and Rohtang Top (mobile station). The Ambient Air Quality monitoring data of the said locations for the month of April and May has been submitted along with the Vehicular Emission Checking-cum-Awareness and the inspection details of the samples collected from Sewage Treatment Plant (STP) at

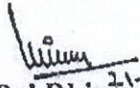
Manali. He further informed that the Ambient Air Quality Monitoring data suggests that the parameters such as NO_x and SO₂ are within prescribed limits. Similarly the results of samples collected from the STP Manali are also within the permissible limit.

The Chairman directed that the Ambient Air Quality monitoring, sample collection from STP Manali and its analysis as well as Vehicle Emission Checking-cum-Awareness should be done continuously and this data be included in the status report to be filed before the next date of hearing i.e. 26-10-2021.

The Chairman stressed that all Stakeholder Departments should complete the pending works in a time bound manner and next Review meeting shall be held shortly under the Chairmanship of the worthy Chief Secretary. Any lapse/non-compliance shall be the responsibility of the concerned Departments.

The meeting ended with a vote of thanks to the chair.

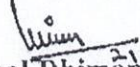
[This has approval of Pr. Secretary (EST)]


(Sat Pal Dhiman)

Joint Secretary(EST) to the
Government of Himachal Pradesh
21.08.2021.

No. STE-E(3)-28/2017-L Dated: Shimla-2, the
Copy forwarded for information and necessary action to: -

1. The ACS/Pr. Secretary/Secretary (Tourism, Forest, Transport, Jal Shakti Vibhag, Panchayati Raj & PWD) to the Government of Himachal Pradesh, Shimla-2.
2. The PCCF (HoFF) HP Shimla-01 Talland Shimla.
3. The Commissioner, Tourism, Himachal Pradesh, Shimla-9.
4. The Director, Environment, Science & Technology, HP, Shimla-1.
5. The Director, TCP Department.
6. The Member Secretary HPPCB.
7. The Director, Urban Development Department.
8. The Director, Tourism, HP.
9. The Deputy Commissioner, Kullu, District Kullu HP.
10. The Director, Transport HP.
11. The Conservator of Forest, Kullu, Himachal Pradesh.
12. The DTDO, Kullu, Himachal Pradesh.
13. The Jt. Director, Tourism, Kullu, District Kullu HP.
14. The Executive Engineer, Jal Shakti Vibhag Kullu.
15. The Executive Engineer, PWD, Mechanical, Kullu.
16. Shri Amitabh Sharma Managing Director, Manali Ropeway Limited, Solang Nala P.O Palchang Teh Manali District Kullu.
17. Guard file.


(Satpal Dhiman)

Joint Secretary (Science & Tech.) to the
Government of Himachal Pradesh

Attested

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Section Officer (Env. & T.)
H.P. Sectt Shimla - 2

Annexure-I

List of Officers who participated in the meeting.

Sr. No.	Name	Designation	Organization
1.	Shri. Ashutosh Garg,	DC Kullu	DC-though VC
2.	Shri. Apoorv Devgan	Member Secretary	HPPCB-Present
3.	Shri. Sat Pal Dhiman	Joint Secretary	Forest & EST
4.	Smt. Rakhee Singh	Joint Director	UD-Present
5.	Shri Dinesh Guleria	ATDO	Tourism-Present
6.	Shri D.R Dhiman	RTO	Shimla-Present
7.	Shri. Anjel Chauhan	DFO	Kullu-though VC
8.	Shri. Kishan Chand	DTDO	Kullu-though VC
9.	Shri. Sunil Kalia	SDO	HPSEBL Manali-though VC
10.	Shri. Sunil Sharma	Regional Officer	Kullu-though VC
11.	Shri Arun Sharma	XEN	Jal Shakti Vibhag, Kullu-though VC
12.	Shri. Dharma Chand Thakur	JE	Manali MC
13.	Er. Munider Singh	JE	HPSEBL, Manali-though VC
14.	Shri. Amitabh Sharma,	Managing Director	Manali Ropeway Limited- though VC
15.	Dr. Sujata Sirkeck Verma	Law Officer	Department of Env.Sci.&Tech.

A. K. Verma

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Section Officer (Env. ~~Act~~)
H.P. Sectt Shimla - 2

MINUTES OF THE REVIEW MEETING REGARDING IMPLEMENTATION OF THE ORDERS OF THE HON'BLE NATIONAL GREEN TRIBUNALIN O.A No. 389/2018(earlier O.A No. 237/2013) HELD UNDER THE CHAIRMANSHIP OF SH. PRABODH SAXENA, IAS, ADDITIONAL CHIEF SECRETARY(EST) IN THE COMMITTEE ROOM, ARMSDALE BUILDING H.P SECRETARIAT ON 14.10.2021 AT 11.30.A.M

The list of the officers who participated in the meeting is attached as **Annexure-I**.

At the outset, Addl. Secretary (EST) welcomed the Chairman and the officers who participated in the meeting. He apprised about the brief background of this case and present status of the compliances. After the first Review meeting convened by the then Pr. Secretary (EST) on 12-07-2021, internal review was also taken by the Chief Secretary. He informed that this is the second Review meeting to monitor the compliances of the order passed by the Hon'ble NGT on 08-06-2021. Thereafter, the issues were discussed one by one and commitments of the stakeholder Departments to clear the pending jobs were assessed with their current status of compliances.

1. Ropeway from Palchan to Rohtang

Addl. Secretary (EST) informed that the FCA Stage-II Approval for the Ropeway project has been already granted on 19th February, 2021 after obtaining permission from the Hon'ble Supreme Court. Regarding removal of trees falling in the Ropeway alignment, CCF Kullu informed that they have already requested the M/s Manali Ropeway Limited (Project Proponent) to indicate the trees within the diverted land which are needed to be removed for setting up of this Ropeway. Hammer for marking of trees stands already issued to the concerned field staff and the Forest Department is in full readiness to process the tree removal. However, Sh. Amitabh Sharma representing M/s Manali Ropeway Limited informed that soil stability tests at various locations are still being carried out in the area and they will be in position to finalize the individual trees to be felled after completion of these tests within one to two months. 550 trees are to be felled out of total 1355 trees coming in the alignment of the Ropeway.

Sh. Amitabh was further asked to update about the status of the Environment Clearance (EC) of this project since some information was sought by the Ministry from the Project Proponent as was discussed during the review meeting on 12-07-2021. He informed that the Terms of Reference (TOR) approved by the Ministry have expired and the entire process has to be initiated *denovo*. Getting fresh approval of the TOR from the MoEF&CC,

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Section Officer (Env. & T)
H.P. Sectt. Shimla - 2

GOI is time consuming. In this situation they are not in a position to implement this project within the stipulated time period though they are keen to implement this project. He requested that the State Government should also write to the Ministry to allow them to go ahead with the same TOR approved previously. He further submitted that since the Ropeway projects are carbon neutral projects and environment friendly and especially in this crucial matter of Rohtang area, the existing TOR may be taken into consideration by the MoEF&CC, GOI. Sh. Amitabh was further asked that why this issue was not flagged during the previous meeting on 12-07-2021. He replied that earlier he was not aware of it. It was also discussed that the agreement has been signed by the Project Proponent with the Tourism Department and it is also the responsibility of the Tourism Department to facilitate the clearances. The representative of the Tourism Department informed that the Project Proponent never raised his concern with them.

After detailed discussion, it was decided that the Project Proponent should immediately give details of the trees to be removed to the Forest Department and shall also formally write to the Tourism Department about the challenges being faced in getting the Environment Clearance. The Tourism Department on merit may consider recommending the request of the Project Proponent to Govt. of India. The Chairman emphasized the need to take proactive steps in securing the EC at the earliest as all other clearances are in place.

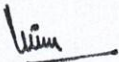
2. Construction of Sewerage Treatment Plant at Marhi

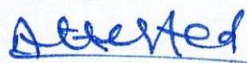

DC Kullu apprised that the STP at Marhi has been completed by the Jal Shakti Vibhag and the Sr. Executive Engineer, Electrical Division, HPSEBL, Manali has released the electricity connection to the Sewerage Treatment Plant, Marhi on 27.09.2021. The testing of the STP at Marhi has been done and is made operational.

The Chairman expressed satisfaction on the progress.

3. Improvement/Up-gradation of Sewerage Treatment Plant at Manali

The Deputy Commissioner, Kullu informed that as per the information from the Executive Engineer, Jal Shakti Division, No.1, Kullu the work is in progress and is likely to be completed by 31.12.2021. It was discussed that during the last meeting on 12-07-2021, it was decided to complete the work by 31st August, 2021.





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H.P. Sectt. Shimla - 2

After discussion, it was decided that this should be reviewed by the Secretary, Jal Shakti Vibhag at his level and the work be expedited and completed by all means at the earliest possible not later than 30th November, 2021.

4. **Development of Solid Waste Management Facility at Manali**

The Director, Urban Development (UD) informed that there are two sections of this Solid Waste Management Facility at Manali. The first section of the facility is already operational and the Refuse Derived Fuel (RDF) produced in the process is being transported to ACC, Barmana Cement Plant. The second section of this facility which involves conversion of waste to energy is yet to be completed. The Director, UD further apprised that the MC Manali has issued notice to the person whom the tender was awarded to complete the second section of this facility. In response, he has informed that he is facing financial problems and there are challenges in implementing this part of the project. He further informed that all the waste is being collected and disposed of properly. It was also discussed that previous experience of waste to energy projects is not encouraging and these are not very successful.

After detailed discussion, the Chairman directed the Director, Urban Development Department to give a complete status on the challenges being faced in the implementation of the second section. It may also be ensured that all the waste be collected and disposed of properly.

5. **Development of Parking Facilities**

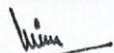
The DC, Kullu apprised that as per the information of the DTDO, Kullu, the construction of parking facility at Gulaba Barrier has been completed and is made functional at the site by HPPWD. Two more parking facilities have already been developed near Gulaba which are also operational to cater to the present needs.

The Chairman expressed satisfaction on the progress.

6. **Construction of Eco-Friendly market at Marhi**

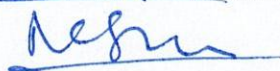
The DC, Kullu informed that the construction work of Eco-Friendly Market including fourteen restaurants and two stalls consisting of three shops each have been already completed and allotment process is also completed in transparent manner. He further informed that the allottees have been given electric connections to their respective shops and the Eco-Friendly market will be made fully functional within a week's time.

The Chairman expressed satisfaction on the progress and directed the Deputy Commissioner, Kullu to submit compliance report.



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H.P. Sectt Shimla - 2

7. **Establishment of Nature Park at Gulaba.**

CCF Kullu informed that the estimate to develop the Nature Park at Gulaba was Rs. One Crore Fourty Eight Lacs. Rs. 35 Lakhs have been provided by DC Kullu from Green Tax Fund and Rs. 20 Lakhs were received from NPV under CAMAPA Fund during the Financial Year 2020-21. Further the funds amounting Rs 25 lakhs have been received from the Deputy Commissioner, Kullu during the current Financial Year 2021-22 for development of the aforesaid Park. Total Rs 80 Lakhs have been utilized till date. Rs. 30 Lakhs have been demanded from CAMAPA fund for execution of some pending works.

The Chairman directed that CCF Kullu should again request the CAMPA authorities for allocating funds for completion of pending works. The complete phase be put to use at the earliest.

8. **Operation of Electric Buses**

The representative of the Transport Department submitted that there are 25 electric buses which are operated on Manali-Rohtang stretch by the Himachal Pradesh Transport Corporation (HRTC). Seven charging points have been provided at Manali, four at Kullu and four at Mandi for the smooth operation of these Electric Buses. These buses are operated on this route as per the need and during the lean season when tourists are not available, these buses are plied on other routes in Kullu and Mandi Districts.

The Chairman expressed satisfaction and directed that maximum use of electric buses be encouraged by the Transport Department.

9. **Installation of Weigh-in-Motion**

The representative of the Transport Department informed that Weigh-in-Motion system has already been installed at its barrier at Bhang and is fully operational.

The Chairman expressed satisfaction.

10. **Ambient Air Quality (AAQ) Monitoring by the H.P State Pollution Control Board**

The Member-Secretary, HPPCB was present in the meeting and informed that the Regional Office, Kullu is continuously monitoring Ambient Air Quality of Rohtang area at all specified locations, along with the vehicular Emission Checking-cum-Awareness. The HPPCB is also collecting the samples regularly from Sewage Treatment Plant (STP) at Manali. He further informed that the AAQ parameters such as NO_x and SO₂ are within prescribed limits. Similarly, the results of monthly samples collected from the STP Manali are also within permissible limits except for one parameter i.e. BOD level particularly in the

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Section Officer (Env. & T /
H.P. Sectt. Shimla - 2

month of September, 2021. Asstt. Environmental Engineer, Pollution Control Board has issued show cause notice to the Jal Shakti Vibhag in this regard. Regular reports are being submitted and are included in the Status report. Latest report has also been submitted.

The Chairman directed that regular inspections and monitoring be ensured. The report submitted by the HPSPCB be taken on record. The Jal Shakti Vibhag be asked to take immediate corrective steps to control the BOD level.

The Chairman directed all the stakeholders to expedite the progress of their respective works in a time bound manner. The Chairman showed concern towards the execution of Ropeway project by M/s Manali Ropeway Pvt. Ltd. and requested both the Tourism Department and the Project Proponent to expedite the EC and start execution of this project on ground.

The Chairman emphasized that the compliances of the Hon'ble NGT order be ensured by all the concerned Departments/Stakeholders with utmost sincerity.

[This has approval of Additional Chief Secretary(EST)]

Sat Pal Dhiman
21-10-2021

(Sat Pal Dhiman)

Addl. Secretary(EST) to the
Government of Himachal Pradesh

21-10.2021

Endst. No. STE-E(3)-28/2017-L Dated: Shimla-2, the

Copy forwarded for information and necessary action or:-

1. The ACS/Pr. Secretary/Secretary(Tourism, Forest, Transport, Jal Shakti Vibhag & PWD) to the Government of Himachal Pradesh.
2. The PCCF (HoFF) HP Shimla-01 Talland Shimla.
3. The Commissioner, Tourism, Himachal Pradesh Shimla-9.
4. The Director, Environment, Science & Technology, HP Shimla-1.
5. The Director, TCP Department.
6. The Member Secretary, HPPCB.
7. The Director, Urban Development Department.
8. The Director, Tourism, HP.
9. The Deputy Commissioner Kullu, District Kullu HP.
10. The Director, Transport HP.
11. The Chief Conservator of Forests, Kullu, Himachal Pradesh.
12. The DTDO, Kullu, Himachal Pradesh.
13. The Jt. Director, Tourism, Kullu, District Kullu HP.
14. The Executive Engineer, Jal Shakti Vibhag Kullu.
15. The Executive Engineer, PWD, Mechanical, Kullu.
16. Shri Amitabh Sharma, Managing Director, Manali Ropeway Limited, Solang Nala P.O Palchang Teh. Manali District Kullu.
17. Guard File.

Attested
[Signature]
Section Officer (Env. 2021)
H.P. Sectt Shimla - 2

Sat Pal Dhiman
21-10-2021

(Sat Pal Dhiman)

Addl. Secretary(EST) to the
Government of Himachal Pradesh

The list of officers who attended the meeting is enclosed at Annexure –I

Sr. No.	Name	Designation	Organization
1.	Shri Ashutosh Garg	DC Kullu	DC Kullu- though VC
2.	Shri Apoorv Devgan	Member Secretary	HPPCB-Present
3	Shri Satpal Dhiman	Additional Secretary	Environment-Present
4.	Shri Manmohan Sharma	Director	UD-Present
5.	Shri Dinesh Guleria	ATDO	Tourism-Present
6.	Shri Anil Joshi	CCF	Kullu-though VC
7.	Shri Naresh Sharma	ARTO	Transport-Present
8.	Shri Amitabh Sharma,	Managing Director	Manali Ropeway Limited-though VC
9.	Shri Kishan Chand	DTDO	Kullu-though VC
10	Shri Naresh Kumar	Section Officer	Environment-Present
11.	Shri Sunil Sharma	Regional Officer	HPPCB-though VC
12.	Dr. Sujata Sirkeek Verma	Law Officer	Department of Env.Sci.,&Tech.

Attested
Neeru

Section Officer (Env. S&T)
H.P. Sectt. Shimla - 2