

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

O.A. No 735/2023

In the matter of:

News Item titled "Ashwani Khad: The most polluted river in Himachal Pradesh" appearing in News Himachal dated 04.12.2023.

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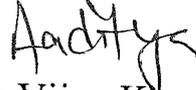
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HPSPCB

Through Counsel

Place: Shimla, H.P.
Dated: 24-07-2025


Aditya Vijay Kumar
(Advocate)

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

O.A. No 735/2023

In the matter of:

News Item titled "Ashwani Khad: The most polluted river in Himachal Pradesh" appearing in News Himachal dated 04.12.2023.

**REPORT BY WAY OF AFFIDAVIT OF
H.P. STATE POLLUTION CONTROL
BOARD IN COMPLIANCE OF ORDER
DATED 26.03.2025.**

MAY IT PLEASE YOUR LORDSHIPS:

I, Anil Joshi, S/o Late Sh. Ram Datt, aged 59, presently working as Member Secretary, H.P. State Pollution Control Board, Him Parivesh, Phase-III, New Shimla, Himachal Pradesh, do hereby solemnly declare and affirm on oath as under:

1. That the aforecited matter is pending adjudication before this Hon'ble Tribunal which was last listed

ATTESTED
Oath Commissioner



**Member Secretary,
HP State Pollution Control
Shimla**

on 26.03.2025, wherein, following directions were passed qua HPSPCB:-

"...6. We also find that along with the report on page 1956, details of compliance of norms by STPs in the catchment area of Sukhana Khad and Ashwini Khad etc; have been disclosed and many of these STPs are not complying with the norms set up by NGT by order dated 30.04.2019 (OA 1069/2018). Hence, EC is required to be imposed upon those who have failed to comply with the norms.

7. Learned Counsel for the HPPCB submits that a fresh report will be filed disclosing the details of EC imposed and recovered from the project proponent operating defaulting STPs. Let the report be filed in the form of affidavit within eight weeks. ... "

2. That in reference to the above directions, it is humbly submitted that earlier the Sewage Treatment Plants (STPs) were being monitored by HPSPCB as per the norms laid down by MoEF & CC vide Notification G.S.R. 1265(E) dated 13th October 2017 issued under the Environment Protection Act, 1986 and the Environmental Compensation was being levied as per violation of these norms. The details of STPs under consideration on whom Environmental Compensation amounting to Rupees

ATTESTED

Oath Commissioner



Member Secretary,
HP State Pollution Control
Shimla

3,82,35,000/- (Three Crores Eighty two Lakhs and Thirty Five Thousand Rupees) has been levied by HPSPCB for violation of norms laid down in Notification dated 13th October 2017 of MoEF & CC is annexed as **Annexure-I**.

However, the Hon'ble NGT in the instant matter observed that many STPs in the catchment area of Sukhana Khad and Ashwini Khad etc; are not complying with the norms set up by NGT by order dated 30.04.2019 in O.A. No. 1069 of 2018 and hence, EC is required to be imposed upon those who have failed to comply with the norms.

3. That in compliance of the directions of this Hon'ble Tribunal passed vide order dated 26.03.2025, HPSPCB has now levied additional Environmental Compensation amounting to Rs. 3,04,02,500/- (Three Crores, Four Lakhs and Twenty Five Hundered Rupees) on 12 number of STPs which have failed to comply with the norms set up by NGT by order dated 30.04.2019 in O.A. No. 1069 of 2018. The details of these STPs is annexed as **Annexure-II**.

4. It is humbly submitted that HPSPCB has initiated process for recovery of Environmental Compensation imposed on these STPs and in

ATTESTED
e
Oath Commission



Member Secretary,
HP State Pollution Control
Shimla

pursuance thereof has issued recovery notices and reminders to the violators for depositing the Environmental Compensation, copies of which are annexed as **Annexure-III collectively**.

In addition, HPSPCB has also taken up the matter with the State Government during a latest meeting held on 23.06.2025 for recovery of Environment Compensation from violating STPs. Copy of the minutes of the meeting is annexed as **Annexure-IV**.

5. That the present status report filed by HPSPCB in compliance to order dated 26.03.2025, may kindly be taken on record. The answering respondent i.e. HPSPCB shall abide by any further order or directions passed by Hon'ble NGT.


DEPONENT
Member Secretary,
HP State Pollution Control
Shimla

Verification:

I, the above named deponent do hereby verify that the above contents of para no. 1 to 5 of this affidavit are correct to the best of my knowledge, based on information derived from official records,

ATTESTED

Oath Commissioner

no part of the same is wrong and nothing material has been concealed therefrom.

Verified at Shimla, H.P. on this 24th day of July, 2025.

Identified by
Tarun Thakur
ALO, HPPSB

[Signature]

DEPONENT

Member Secretary,
HP State Pollution Control
Shimla

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Oath Commis

Certified that the above contents were deposited before me on this affidavit on this 24th day of July 2025 at Shimla in the Dist. of Shimla by Shri. *Anil Joshi* who is identified by Shri. *Terun Thakur ALO* who is personally known to me & the contents of the above affidavit has been read over and explained to the deponent in vernacular who admit them to be correct at the time of making there of.

[Signature] 24-7-2025

Note - All the cutting & adding have been attested by me

[Signature] 24-7-2025

Advocate
Oath Commissioner Shimla

Environment Compensation

Sr. No.	STP	Amount	Date of imposition	Violation Period	Status
1.	STP Lalpani	₹ 31,87,500	07-01-2022	16.03.2020 to 23.06.2020 and 22.10.2020 to 27.03.2021	Not deposited
2.	STP Summerhill	₹ 2,62,500	05-05-2022	27.08.2021 to 16.09.2021	Not deposited
3.	Malyana	₹ 69,50,000	07-05-2022	11.10.2019 to 31.01.2022	Not deposited
4.	Malyana	₹ 59,25,000	5-04-2024	10.02.2022 to 30.05.2023	Not deposited
5.	STP Rohru	₹78,87,500/-	27-04-2024	12.02.2021 to 8.04.2021, 28.10.2021 to 25.04.2022 and 21.09.2022 to 4.01.2023	Not deposited
6.	STP Lalpani	₹95,62,500/-	27-04-2024	27.03.2021 to 15.08.2022, 19.09.2022 to 30.05.2023	Not deposited
7.	STP Jubbal	₹44,60,000	03-03-2025	05.01.2023 to 08.03.2023, 05.04.2023 to 08.06.2023 and 20.09.2023 to 16.11.2023, 8.12.2023 to 10.01.2024, 9.04.2024 to 03-05-2024, 14-06-2024 to 1.01.2025 (446 days)	Not deposited

EC imposed as per order dated 30.04.2019 passed by Hon'ble NGT in OA No 1069 of 2018.

Sr. No.	STP	Amount	Date of imposition	Violation Period
1.	STP Sundernagar	₹12,00,000	23.07.2025	27-10-23 to 05-12-23 and 09-04-24 to 29-06-24 (120 days)
2.	STP Jogindernagar	₹25,00,000	23.07.2025	30-12-23 to 01-08-24 and 26-11-24 to 31-12-24 (250 days).
3.	STP Sarkaghat	₹5,60,000	23.07.2025	29-08-24 to 24-10-24 (56 days)
4.	STP Malayana	₹20,62,500	23.07.2025	08-04-24 to 15-05-24, 29-05-24 to 13-08-24 and 25-10-24 to 16-12-24 (165 days)
5.	STP Lalpani	₹21,75,000	23.07.2025	08-04-24 to 30-07-24 and 14-08-24 to 14-10-2024 (174 days)
6.	STP Parwanoo	₹40,90,000	23.07.2025	31.10.2023 to 13.12.2024 (409 days)
7.	STP Raghunath ka Padhar	₹32,60,000	23.07.2025	05.12.2023 to 26.10.2024 (326 days)
8.	STP Khaliyar	₹38,20,000	23.07.2025	26.10.2023 to 15.02.2024, 11.03.2024 to 31.08.2024 and 25.09,2024 to 31.12.2024 (382 days)
9.	STP Nalagarh	₹21,60,000	23.07.2025	31-01-24 to 30-04-24, 27-05-24 to 30-08-24 and 31-12-24 to 31-01-25 (216 days)
10.	STP BBMB Sundernagar	₹26,00,000	23.07.2025	from 03-01-24 to 23-07-24 and 29-08-24 to 26-10-24 4 (260 days)
11.	STP Rohru	₹33,50,000	23.07.2025	09-04-24 to 02-01-25 (268 days)
12.	STP Dhalli	₹26,25,000	23.07.2025	25-04-24 to 15-06-24, 26-07-24 to 14-10-24, 26-10-24 to 16-12-24 and 30-12-24 to 27-01-25 (210 days)



HP State Pollution Control Board
HIM Parivesh Bhawan, Phase-III, New Shimla-
09



Phone No. 0177-2673766, 2673020 FAX-0177-
2673018

भूमि सुशुद्धि
THE EARTH - ONE FAMILY - ONE FUTURE

No. PCB/STP Lalpani/Vol-I/2020/- 5129-33

Dated: - 19.7.2023

To

The Managing Director
Shimla Jal Prabandhan Nigam Limited,
US Club to High Ct, Bemloe, Shimla Himachal Pradesh-171001.

Sub: Show Cause Notice under Water (Prevention and Control of Pollution) Act, 1974.

WHEREAS, vide this office letter dated 07.01.2022 (copy enclosed) Environmental Compensation was imposed against SJPNL amounting to **Rs. 31,87,500/- (Rupees Thirty One lakh Eighty Seven Thousand & Five Hundred) only** for the non-compliance of the outlet norms by STP Lalpani for **255 days (from 16.03.2020 to 23.06.2020 and 22.10.2020 to 27.03.2021)**, however the same has not been deposited yet.

WHEREAS, Hon'ble NGT vide order dated 28.08.2019 passed by **in O.A. No. 593/2017 titled Paryavaran Suraksha Samiti V/s Union of India & ors.** approved the methodology to levy of Environmental Compensation on the basis of polluter pays principle on violating units.

WHEREAS, vide order dated 28.08.2019 the Hon'ble NGT in O.A. No. 593/2017 has issued the following directions:-

"All the Local Bodies and or the concerned departments of the State Government have to ensure 100% treatment of the generated sewage and in default to pay compensation which is to be recovered by the States/UTs, with effect from 01.04.2020."

WHEREAS, vide Hon'ble NGT order passed in O.A. No. 606/2018 directions has been issued to Chief Secretary to GoHP to review the status of Sewage and Solid Waste management in the State. In compliance of said orders, meeting under chairmanship of Chief Secretary to GoHP was held on 27.06.2023 and direction has been issued:-

"The Chairman directed both JSV & SJPNL have to ensure that all STPs are compliant. The non-compliant of STPs shall be viewed seriously. The PCB may take necessary action against non-comply STPs"

WHEREAS, the facts stated above tantamount to clear violation of provisions of Water Act, 1974, Environmental Protection Act, 1986 and directions issued by Chief Secretary to GoHP which is a punishable offence and attracts the punitive action as per Hon'ble NGT order in OA No. 593/2017, Environmental Protection Act, 1986 and Water Act, 1974.

In view of above it is hereby again directed that SJPNL shall deposit the aforesaid Environmental Compensation amount in the account of the Member Secretary, HPSPCB, Bank of Baroda A/c No. 54140100001617 (IFSC Code-BAB0NEWSIM) within 07 days under intimation to this office failing which action under provision of Environment (Protection) Act, 1986 and Water (Prevention and Control of Pollution) Act, 1974 shall be initiated at your own risk and cost which shall attract imprisonment for a term which may extend to five year or fine which may extend to Rupees One Lakh.

I/217847/2023

-s/d-

(Anil Joshi, IFS)
Member Secretary
H.P. State Pollution Control Board

Endst. No. PCB/STP Lalpani/Vol-I/2020/5129-33 Dated: -19-7-2023

Copy forwarded to the following:-

1. The Principal Secretary, Urban Development Department, Government of HP Shimla for information and requested to issue necessary direction to quarter concerned for compliance.
2. The Director, Urban Development, Tolland Shimla for information please.
3. Sh. Surinder Hansreta, Contractor M/s SJPNL, STP at Lalpani, Village-Badgaon, PO- Rajhana, Tehsil-Shimla (Rural), Distt.- Shimla for compliance.
4. The Regional Officer, HPSPCB, Shimla for information and further follow-up necessary action.

Signed by

Anil Joshi

Date: 18-07-2023 14:47:51

(Anil Joshi, IFS)

Member Secretary

H.P. State Pollution Control Board

Reminder

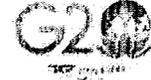
HSPCB

**HP State Pollution Control Board**

HIM Parivesh Bhawan, Phase-III, New Shimla-

09

Phone No. 0177-2673766, 2673020 FAX-0177-2673018



G20

No. PCB/STP Sanjauli Malyana/2016/-
To

Dated: -

The Managing Director

Shimla Jal Prabandhan Nigam Limited,

US Club to High Ct, Bemloe, Shimla Himachal Pradesh-171001.

S u b : Environmental Compensation for violation of provision under Environment (Protection) Act, 1986 and Water (Prevention and Control of Pollution) Act, 1974 as per order passed by Hon'ble NGT in OA No. 593/2017.

WHEREAS, vide this office letter dated 07.05.2022 (copy enclosed) Environmental Compensation was imposed against SJPNL amounting to Rs. 69,50,000/- (Rupees Sixty Nine lakh Fifty Thousand) only for the non-compliance of the outlet norms by STP Malyana for 556 days (from 11.10.2019 to 31.01.2022), however the same has not been deposited yet.

WHEREAS, Hon'ble NGT vide order dated 28.08.2019 passed by in O.A. No. 593/2017 titled **Paryavaran Suraksha Samiti V/s Union of India & ors.** approved the methodology to levy of Environmental Compensation on the basis of polluter pays principle on violating units.

WHEREAS, vide order dated 28.08.2019 the Hon'ble NGT in O.A. No. 593/2017 has issued the following directions:-

"All the Local Bodies and or the concerned departments of the State Government have to ensure 100% treatment of the generated sewage and in default to pay compensation which is to be recovered by the States/UTs, with effect from 01.04.2020."

WHEREAS, vide Hon'ble NGT order passed in O.A. No. 606/2018 directions has been issued to Chief Secretary to GoHP to review the status of Sewage and Solid Waste management in the State. In compliance of said orders, meeting under chairmanship of Chief Secretary to GoHP was held on 27.06.2023 and direction has been issued:-

"The Chairman directed both JSV & SJPNL have to ensure that all STPs are compliant. The non-compliant of STPs shall be viewed seriously. The PCB may take necessary action against non-comply STPs"

WHEREAS, the facts stated above tantamount to clear violation of provisions of Water Act, 1974, Environmental Protection Act, 1986 and directions issued by Chief Secretary to GoHP which is a punishable offence and attracts the punitive

PCB-J002/5/2022-NGT SECTION-STATE POLLUTION CONTROL BOARD

I/217871/2023

action as per Hon'ble NGT order in OA No. 593/2017, Environmental Protection Act, 1986 and Water Act, 1974.

In view of above it is hereby again directed that SJPNL shall deposit the aforesaid Environmental Compensation amount in the account of the Member Secretary, HPSPCB, Bank of Baroda A/c No. 54140100001617 (IFSC Code-BAB0NEWSIM) within 07 days failing which action under provision of Environment (Protection) Act, 1986 and Water (Prevention and Control of Pollution) Act, 1974 shall be initiated at your own risk and cost which shall attract imprisonment for a term which may extend to five year or fine which may extend to Rupees One Lakh.

(Anil Joshi, IFS)
Member Secretary
H.P. State Pollution Control Board

Endst: No. PCB/STP Sanjauli Malyana/2016/- 5491-95 Dated: - 24-7-2023.
Copy forwarded to the following:-

1. The Principal Secretary, Urban Development Department, Government of HP Shimla for information and requested to issue necessary direction to quarter concerned for compliance.
2. The Director, Urban Development, Tolland Shimla for information please.
3. 21st Century Enviro Engineers, Plot No.-120, Industrial Area, Phase-II, Chandigarh-160002 for compliance.
4. The Regional Officer, HPSPCB, Shimla for information and further follow-up necessary action.

-s/d-
(Anil Joshi, IFS)
Member Secretary
H.P. State Pollution Control Board

Signed by
Anil Joshi
Date: 18-07-2023 21:57:43

	H.P. STATE POLLUTION CONTROL BOARD "Him Parivesh" Phase-III, New Shimla-171009 (H.P) Phone: 0177 2673766, 2673274 email: mshppcb@gmail.com	
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(80334) HPSPCB/Misc STP/2020

6212-13

Dated

23-7-25

To

The Engineer in Chief,
Jal Shakti Vibhag,
Shimla
The Managing Director,
Shimla Jal Prabandhan Nigam Ltd. (SJPNL),
Shimla, Himachal Pradesh

Subject: Deposit of Environmental Compensation Imposed by HPSPCB on Non-Compliant STPs

Environmental Compensation (EC) has been imposed by the Himachal Pradesh State Pollution Control Board on various Sewage Treatment Plants (STPs) operated and maintained by Jal Shakti Vibhag and SJPNL due to non-compliance with environmental norms and discharge standards. The details of EC imposed on the respective STPs is provided below: -

Sr. No.	STP	Amount	Date of imposition
1.	STP Lalpani	₹ 31,87,500	07-01-2022
2.	STP Summerhill	₹ 2,62,500	05-05-2022
3.	STP Malyana	₹ 69,50,000	07-05-2022
4.	STP Malyana	₹ 59,25,000	5-04-2024
5.	STP Barga-I	₹ 15,80,000	6-04-2024
6.	STP Rohru	₹ 78,87,500	27-04-2024
7.	STP Lalpani	₹ 95,62,500	27-04-2024
8.	STP Jubbal	₹ 44,60,000	03-03-2025
9.	STP North Disposal	₹ 31,17,000	18-03-2025
10.	STP Summerhill	₹ 94,70,000	21-03-2025

However, it is a matter of serious concern that despite repeated follow-ups, the said Environmental Compensation has not been deposited till date. This issue was categorically raised and reiterated during the meeting held on 23rd June 2025 under the Chairmanship of the Principal Secretary (Urban Development), Government of Himachal Pradesh, yet no compliance has been ensured from your end.

Further, it is pertinent to mention here that the Hon'ble National Green Tribunal (NGT), through its various directions and orders, is closely monitoring the imposition and recovery of Environmental Compensation from non-compliant entities, particularly in cases concerning inadequate or non-operational sewage treatment infrastructure and non-compliance with these directions is viewed seriously by Hon'ble NGT and may attract further legal consequences.

Therefore, you are hereby directed to ensure the immediate deposit of the Environmental Compensation amounts as imposed by HPSPCB. A compliance report along with proof of payment may be furnished to this office and to HPSPCB at the earliest.

This may be treated as urgent and time-bound.

Signed by

Anil Joshi

(Anil Joshi, JS)
Member Secretary
HPSPCB

Date: 23/07/2025 12:55:12



Dy No. - 1109
8/7/2025



Minutes of the Meeting held under the Chairmanship of Principal Secretary (Urban Development) to the Government of Himachal Pradesh on 23rd June 2025 at 3:30 PM in his Chamber.

Participants:

1. Sh. Anil Joshi, Member Secretary, H.P. State Pollution Control Board (HPSPCB).
 2. Er. Anil Mehta, Chief Engineer, Jal Shakti Vibhag (JSV)
 3. Er. Virender Thakur, MD-cum-CEO, Shimla Jal Prabandhan Nigam Ltd. (SJPNL)
 4. Sh. Pradeep Jaswal, Jt. Secretary Finance to the Govt. of H.P.
 5. Er. Rakesh Parashar, Superintending Engineer, JSV P & I-I
 6. Er. Chandan Singh, EE HPSPCB.
- Er. Adarsh Bhota, AGM (Sewerage), SJPNL.

AGM (Sewerage)
GM (Ops)
8-7-2025

The meeting was convened to address the issues concerning Sewage Treatment Plants STPs and Environmental Compensation (EC), imposed by the H.P. State Pollution Control Board (HPSPCB) on Shimla Jal Prabandhan Nigam Ltd. (SJPNL) and Jal Shakti Vibhag (JSV) for alleged non-compliance of Sewage Treatment Plants (STPs) with environmental standards, as per the methodology approved by the Hon'ble National Green Tribunal (NGT) in OA No. 593/2017. The Worthy Chairman opened the session by underscoring the necessity to resolve the dispute in a manner that upholds environmental regulations while acknowledging the operational challenges posed by Shimla's unique topography and of the State as well. He emphasized the importance of collaborative dialogue to align with the State's commitment to sustainable urban development and pollution control.

MD
7/7/2025

MD-cum-CEO, SJPNL, provided a detailed overview of the penalties, which were levied across six STPs: Lalpani (Rs. 1.27 Crores), Malyana (Rs. 1.29 Crores), Summerhill (Rs. 1.51 Crores), Dhalli (Rs. 0.41 Crores), Snowdon (Rs. 0.35 Crores), and North Disposal (Rs. 0.31 Crores). He highlighted that Shimla's topography necessitates smaller, decentralized STPs. Three STPs—Lalpani, Malyana, and Dhalli—have been upgraded to Sequential Batch Reactor (SBR) technology, achieving compliance with latest norms. Online Continuous Effluent Monitoring System (OCEMS) data has been integrated with HPSPCB's portal. The remaining STPs are undergoing retrofitting, with disruptions caused by 2023 monsoons impacting treatment efficiency for parameters like Total Suspended Solids (TSS) and faecal coliform.

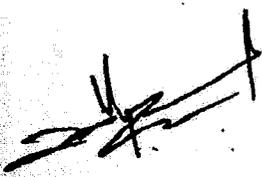
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SJPNL contested the penalties, presenting test results from ECO Paryavaran Laboratory & Consultants, a NABL-accredited and CPCB-recognized lab designated as Himachal Pradesh's State Water Testing Laboratory by Jal Shakti Vibhag, result of which are within limits. These were supported by daily in-house lab tests conducted by qualified chemists. It was submitted by SJPNL that as per Section 22(4) of the Water (Prevention and Control of Pollution) Act, 1974, the ECO Paryavaran's results should prevail over HPSPCB's findings. SJPNL also challenged HPSPCB's sampling procedures under Section 21, which requires prior notification and sample sharing, and requested: (1) waiver of the Rs. 5.14 Crore penalty, (2) acceptance of NABL-accredited laboratory's reports and OCEMS data, (3) a standardized SOP for sampling, and (4) financial support for STP upgrades and sludge management.

Member Secretary, HPSPCB, defended the penalties, stating that sampling adhered to Section 21 protocols, with notifications issued to SJPNL. He maintained that HPSPCB's lab results, indicating consistent non-compliance, were authoritative and aligned with the NGT's methodology in *Original Application No. 593/2018*. He acknowledged the value of NABL laboratory's reports but emphasized that HPSPCB's findings held precedence unless formally contested. He supported OCEMS for real-time monitoring and proposed a joint committee to standardize sampling practices, enhancing transparency and reducing disputes.

Er. Anil Mehta, Chief Engineer, JSV, supported SJPNL's position, drawing attention on discussions from the May 20, 2024, meeting chaired by Worthy Chief Secretary Sh. Prabodh Saxena regarding *Original Application No. 735/2023* (News Item titled "Ashwani Khad: The Most Polluted River in Himachal Pradesh," dated 04.12.2023). He referenced the affidavit filed by the Superintending Engineer, JSV Solan Circle, on behalf of the Chief Secretary, which outlined operational challenges with STPs in the Ashwani Khad catchment and other river stretches. Er. Mehta highlighted that many STPs, including those managed by JSV in Rohru, Jubbal, and Chamba, were designed to meet Ministry of Environment, Forest and Climate Change (MoEF&CC) standards (year) rather than the more stringent NGT parameters established in *OA No. 1069/2018*. He noted that JSV's STPs of Rohru, Jubbal, and Chamba faced a Rs. 1.4 Crore EC penalty imposed by HPSPCB due to outdated infrastructure and increased sewage loads from rapid urbanization.



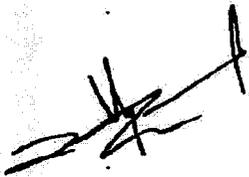
Er. Mehta reiterated concerns raised on May 20, 2024, about discrepancies between CPCB and HPSPCB sample analyses, with CPCB results showing higher pollutant levels for the same samples. He emphasized that JSV's STPs, like SJPNL's, struggle to meet NGT standards due to design limitations for STP upgrades, though insufficient for comprehensive modernization. Er. Mehta supported SJPNL's requests for penalty waivers and acceptance of NABL reports.

The Worthy Chairman guided the discussion with a focus on resolving the dispute through collaboration and procedural clarity. Acknowledging the technical and procedural disagreements, he desired the formation of a joint committee (HPSPCB, SJPNL, JSV) to develop a standardized SOP for sampling within 30 days, ensuring compliance with Section 21 of the Water Act. This aimed to address concerns about sampling inconsistencies, as raised by SJPNL and echoed by Sh. Mehta's reference to the May 20, 2024, meeting. It was also observed by the worthy Chairman that the regulator i.e HPSPCB should not only rely upon the sample report of his own laboratory, but try and designate an other independent Laboratory for sample testing at the earliest.

To evaluate the penalty dispute, the Worthy Chairman instructed SJPNL/ JSV to file appeal with HPSPCB within 30 days. He emphasized OCEMS as a critical tool for transparent monitoring and directed SJPNL to ensure its implementation across all STPs. In light of the contest raised by SJPNL and JSV, supported by their compliance evidence, the Worthy Chairman opined that both entities should have the right to appeal the penalties if their data substantiates adherence to standards, ensuring fairness in the process. He requested Member Secretary (PCB) to entertain the appeals of JSV & SJPNL and decide them sympathetically on merit.

Addressing financial constraints, the Worthy Chairman directed SJPNL and JSV to submit detailed funding proposals for STP upgrades and sludge management within 2 days, so that the same could be placed before the screening committee of State Government for funding.

The Worthy Chairman concluded by emphasizing the critical importance of environmental protection as a moral and legal imperative, particularly for Himachal Pradesh, where pristine rivers like Ashwani Khad are vital to the State's ecological and economic fabric. He stressed that safeguarding these water bodies is a collective responsibility to ensure sustainability for future generations, aligning with the State's commitment of preserving its natural heritage. He



emphasized a need to test water sample from some other agency in addition to the own laboratory of the Regulator (PCB) to have transparency. Next meeting be held after one month to review the progress.

He paid due respect to the National Green Tribunal (NGT) and Supreme Court of India, citing their landmark orders as binding frameworks for environmental governance.

Action Points

- **HPSPCB:** (i) Review SJPNL's compliance data (NABL reports and OCEMS) within 30 days to assess the penalty waiver request. (ii) To designate an other laboratory in addition to their own for sample testing.
- **Joint Committee (HPSPCB, SJPNL, JSV):** Develop an SOP for sampling within 30 days, per Section 21 of the Water Act.
- **SJPNL & JSV:** Submit funding proposals for STP upgrades and sludge management within 2 days to HPSPCB to be placed before Screening Committee.
- **Appeal Option:** As opined by the Worthy Chairman, SJPNL and JSV may appeal for the wavier of penalties.



Special Secretary
Urban Development Department
Govt. of H.P Shimla-2

No:- UD-F (2)-1/2022-SJPNL-loose Dated, Shimla-02, the 02-07-2025
Copy to:

1. Secretary (JSV) to the Govt. of Himachal Pradesh for information please.
2. Engineer-in-Chief JSV for information and necessary action please.
3. Member Secretary, HPSPCB for information & necessary action please.
4. Er. Anil Mehta, Chief Engineer, JSV for information & necessary action please.
5. Sh. Pradeep Jaswal Jt. Secretary Finance to the Govt. of H.P. for information please.
6. Er. Rakesh Parashar, S.E JSV P&I-I for information & necessary action please.
- ✓ 7. MD-cum-CEO, SJPNL for information & necessary action please.
8. Executive Engineer, HPSPCB Shimla for information & necessary action please.
9. AGM (Sewerage), SJPNL for information & necessary action please.



Special Secretary
Urban Development Department
Govt. of H.P Shimla-2