

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

O.A. No.623/2025

In the matter of:

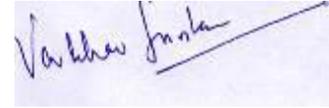
**News item titled “Govt’s efforts to tap KSPCB funds set to hit legal hurdle” appearing in The Deccan Herald dated 23.11.2025.**

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**HPSPCB  
Through Counsel**



**Vaibhav Srivastva  
(Advocate)**

**Dated: 19.02.2026.**

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, AT NEW DELHI**

O.A. No.623/2025

In the matter of:

**News item titled "Govt's efforts to tap KSPCB funds set to hit legal hurdle" appearing in The Deccan Herald dated 23.11.2025.**

**RESPOSE BY WAY OF AFFIDAVIT ON  
BEHALF OF H.P. STATE POLLUTION  
CONTROL BOARD (HPSPCB) IN  
COMPLIANCE TO ORDER DATED 03.12.2025.**

**May it please your Lordships:**

I, Dr. Parveen Gupta, S/o Sh. B.D. Gupta aged about 57 years, at present working as Member Secretary, H.P. State Pollution Control Board at Shimla, Himachal Pradesh, do hereby solemnly declare and affirm on oath as under:-

1. That the present matter has been registered suo moto on the basis of a news item titled "Govt's efforts to tap KSPCB funds set to hit legal hurdle" appearing in The Deccan Herald dated 23.11.2025 wherein, the Hon'ble NGT inter alia is considering a larger issue of diversion of funds of State Pollution Control Boards

**ATTESD**

**Q**  
Oath Commissioner

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

(SPCBs)/Pollution Control Committees (PCCs) for development works which do not fall within the ambit of the Water Act or Air Act. A concern has been raised that on one hand, the PCBs are not allowed to fill vacancies to perform their tasks, which have increased manifold over the last few years and on the other hand their funds are sought for works not covered by the Air Act or Water Act. In addition to the Funds of State Boards, a reference has also been made in the aforesaid news item regarding diversion of Environment Compensation funds contrary to the directions of Hon'ble NGT.

2. That on the basis of aforesaid news item and order dated 03.12.2025 passed by Hon'ble NGT, it is humbly submitted that the matter mainly involves two issues qua HPSPCB:

(i). Diversion of the Funds of the State Boards established under Sections 37 of the Water (Prevention and Control of Pollution) Act, 1974 and Section 33 of the Air (Prevention and Control of Pollution) Act, 1981.

(ii). Diversion of Environment Compensation Funds contrary to the directions of Hon'ble NGT passed from time to time.

3. That in respect to above issues, it is submitted that HPSPCB separately maintains Funds of the State Board

T T E S E D

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Dist. Comm. Shimla

and the Environment Compensation Funds. The current status of 'Funds of the State Board maintained by HPSPCB under Sections 37 of the Water Act, 1974 and Section 33 of the Air Act, 1981 and the Environment Compensation Funds maintained by HPSPCB is annexed as **Annexure-I**.

4. That as per the record, the details of amount paid to the State Government by HPSPCB during last 3 years out of the 'Fund of the State Board' is as follows:

Sr. No.	Particulars	FY 2023-24	FY 2024-25	FY 2025-26
1	CM Relief Fund	₹2,00,00,000/- (Two Crores Rupees)	₹2,00,00,000/- (Two Crores Rupees)	₹2,00,00,000/- (Two Crores Rupees)
2	Amount paid for climate change/payable to HIMCOSTE (Himachal Pradesh Council for Science, Technology & Environment)	₹25,00,000/- (Rupees Twenty Five Lakhs)	₹25,00,000/- (Rupees Twenty Five Lakhs)	₹3,31,00,000/-* (Rupees Three Crores and Thirty One Lakhs) (* Payment under consideration)

\* (Payment of ₹3,31,00,000/- (Rupees Three Crores and Thirty One Lakhs) to HIMCOSTE is under consideration in view of letter dated 23.01.2026 of the Department of

Environment, Science, Technology & CC, Govt. of H.P. wherein aforesaid funds have been sought to be released for completion and commissioning of Digital Planetarium at Centre for Science, Learning & Creativity (CSLC) at Shogi through National Council for Science Museums) Ministry of Culture, Government of India. (Copy of letter dated 23.01.2026 is annexed as **Annexure-II**).

5. That regarding the issue of Environment Compensation Funds, it is submitted that as per record HPSPCB has about ₹14,38,23,017/- (Rupees Fourteen Crore, Thirty Eight Lakh, Twenty Three Thousand and Seventeen) deposited in Environment Compensation Funds. It is submitted that in compliance with the order dated 21.10.2022 of the Hon'ble NGT passed in M.A. No. 74/2022 in O.A. No. 976/2019 titled Gurinder Singh & Others vs. Union of India & ors; the Government of Himachal Pradesh has constituted a High Powered Committee vide Notification No. STE-E (3)-7/2021 dated 30.05.2025 for the utilisation of Environmental Compensation (EC) funds available with the Himachal Pradesh State Pollution Control Board (HPSPCB), the State Environment Impact Assessment Authority (SEIAA) and the Department of Environment, Science, Technology & Climate Change. Under the aforesaid

**ATTENDED**

04.01.2026

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

notification, the process of utilisation of these funds and implementation of approved projects has been entrusted to the High Powered Committee comprising of the Chief Secretary, Govt. of H.P. and five Additional Chief Secretaries/Pr. Secy./Secretaries of different departments, Member Secretary, HPSPCB and Director, Department of Environment, Science, Technology & Climate Change. The committee ensures that the funds are utilised strictly for environment protection and restoration works in line with the guidelines issued by the Hon'ble NGT and CPCB.

(Copy of the order dated 21.10.2022 of Hon'ble NGT is annexed as **Annexure-III** and copy of the State Government notification dated 30.05.2025 is annexed as **Annexure-IV**).

6. It is submitted that the process of imposition & recovery of Environmental Compensation entails several incidental and ancillary expenses such as expenses incurred on determination of the violation & liability of the violators, remuneration to be paid to expert members, amicus curies appointed by the Hon'ble courts and the legal fee incurred by the State Board for defending the cases filed by violating units against the orders of imposition of Environmental Compensation. It is submitted that at present all direct, incidental and

A T T E S E D

Chief Commissioner.

Member Secretary,  
HP State Pollution Control  
Board

ancillary expenses incurred for imposition & recovery of Environmental Compensation is borne by HPSPCB out of the own funds of the Board and not from Environmental Compensation Fund.

- 7. That the present response filed by HPSPCB in compliance to order dated 03.12.2025, 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.

*Handwritten signature*

**Deponent**

Member Secretary,  
HP State Pollution Control  
Shimla

**Verification:**

**ATTESTED**

I, the above named deponent, do hereby solemnly affirm that the submission made above are true and correct to the best of my knowledge, information provided to me and I believe the same to be true.

Oath Commissioner

Solemnly affirmed at Shimla, H.P. on this 19<sup>th</sup> day of February, 2026.

*Identified by  
Identified by  
Taran Thakur  
ALO, HPSPCB*

*Handwritten signature*

**Deponent**

Member Secretary,  
HP State Pollution Control  
Shimla

*Sworn that the above deponent was declared  
in solemn affirmation on this  
in the District of Shimla by Sh. *Jaspreet Singh*  
who was identified by Sh. *Jaspreet Singh*  
who is personally known to me and the  
contents of the above affidavit have been read  
over & explained to the deponent in vernacular  
who admitted them to be correct and true at the  
time of making thereof.*

*ALO*

All Cuttings, Corrections & Additions  
are attested by me



Oath Commissioner  
HP High Court, Shimla

Oath Commissioner

*18-2-26*



## H.P. STATE POLLUTION CONTROL BOARD

"HIM PARIVESH" PHASE-III, NEW SHIMLA-171 009 (H.P)

Phone: 0177 2673766, 2673274

### U.O. Note

**Sub: OA No.623/2025 titled News item "Govt's efforts to tap KSPCB funds set to hit legal hurdle" appearing in the Deccan Herald dated 23.11.2025.**

Reference UO No. PCB / (Legal Div) OA No.623/2025-17016 dated 10.02.2026 vide which information regarding Board fund has been sought. In this context, requisite information regarding status of funds is as follows:

Sr. No.	Particulars	Savings Account	FDRs
1.	State Board Fund's	31,38,00,000.00	2,05,14,36,566.00
2.	Env. Compensation Funds with State Board	10,39,66,978.73	3,98,55,000.00

As regard, funds paid to State Government by State Board during last 3 years the detail is as under:

Particular	FY 2023-24	FY 2024-25	FY 2025-26	Remarks
CM Relief Fund	2,00,00,000.00	2,00,00,000.00	2,00,00,000.00	Paid out of <b>State Board Funds</b> & Rs.3.31crore Payable w.r.t letter dated 23.01.2026.
Amount paid for climate change/ payable to HIMCOSTE	25,00,000.00	25,00,000.00	3,31,00,000.00	
Amount Paid to Rural Development	-	-	1,00,00,000.00	Paid under CAPAEX for pilot project in Mashobra Block from <b>EC Fund</b>
Amount Paid to Police Department	-	-	2,00,00,000.00	Approved by Hon'ble Chairman in reference to High Powered Committee proceedings paid from <b>EC Fund</b>

  
Devender Pal, HPF&AS  
Joint Controller,  
HPSPCB, Shimla

U.O. No. HPSPCB/Misc.File/2019 - 17286

Dated: 12/02/26

Law Officer  
HPSPCB, Shimla

No. STE-F(2)-1/2023-  
Government of Himachal Pradesh  
Department of Env., Sci. Tech. & C.C.

From

The Secretary (EST & CC) to the  
Government of Himachal Pradesh

To

The Chairman,  
H.P. State Pollution Control Board,  
New Shimla-171009.

Dated: Shimla-2, the

23-01-2026.

**Subject :- Regarding release of ₹3.31 Crores to the HIMCOSTE out of Non-Corpus Heads of the H.P. State Pollution Control Board for commission of Planetarium.**

Sir,

I am directed to refer to the subject cited above and to say that the Department of Environment, Science, Technology & Climate Change has been pursuing the completion of the Digital Planetarium at the Centre for Science Learning & Creativity (CSLC), Shoghi, through the National Council of Science Museums (NCSM), Ministry of Culture, Government of India. The Digital Planetarium is a flagship and prestigious project of the State Government and the first of its kind in Himachal Pradesh. The project is presently at an advanced stage of completion.

Despite repeated proposals, the Planning Department has not acceded to the request for additional funding support. The matter was, therefore, placed before the Competent Authority for consideration. Upon due examination, it is noted by the Competent Authority that funds amounting ₹164.12 Crores are available under Non-Corpus heads in the Himachal Pradesh State Pollution Control Board (HPSPCB) and has decided that an amount of ₹3.31 Crores be provided to HIMCOSTE from the available non-corpus funds for the completion and commissioning of the Digital Planetarium.

It is further, decided by the Competent Authority that these funds under Non-Corpus head can be made use of (partially or wholly) for environmental conservation and pollution abatement measures in the State.

Accordingly, it is requested to release ₹3.31 Crores to HIMCOSTE from the non-corpus heads of the HPSPCB for the aforesaid purpose so as to ensure the timely completion and commissioning of the Planetarium.

{This is issued with the approval of the Competent Authority.}

Yours faithfully,

(Satpal Dhiman)

23-01-2026  
Addl. Secretary (EST & CC) to the  
Government of Himachal Pradesh  
Phone No. 0177-2621874

27/1/26  
MS(PCB)  
29/01/26  
Endorsement No. As above

Dated : -01-2026.

Copy forwarded to

1. The Member Secretary, H.P. Council for Science, Technology & Environment, Shimla-9 for information & necessary action please.

29/01/26  
Addl. Secretary (EST & CC) to the  
Government of Himachal Pradesh  
Phone No. 0177-2621874

Item No. 05

Court No. 1

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

(By Video Conferencing)

M.A. No. 74/2022

IN

Original Application No. 976/2019

Gurinder Singh &amp; Ors.

Applicant(s)

Versus

Union of India &amp; Ors.

Respondent(s)

Date of hearing: 21.10.2022

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Nalin Kohli, Ms. Nimisha and Ms. Zeba Khair, Advocates for the Applicant in M.A No. 74/2022

**ORDER**

1. This application seeks compliance of order of this Tribunal dated 07.04.2021 in OA No. 778/2022, *Gurinder Singh & Ors. vs. Union of India & Ors.* Thereby, this Tribunal directed remedial action against violations of norms in construction project at Gurgaon by Respondent No. 12, M/s GP Realtors Pvt. Ltd. – the Project Proponent (PP). The action expected was by way of recovery of compensation on polluter pays principle, to be utilized for restoration of environment.

2. According to the applicant, though compensation was assessed at Rs. 707.17 lakhs by SEIAA, Haryana and show cause issued to the PP, no further action has been taken.

3. In view of above, we are of the view that SEIAA, Haryana needs to check up the factual position and if compensation assessed has not been recovered, the matter may be now finalized within one month.

4. With above order, the matter could stand disposed of but consider it appropriate to take this opportunity to reiterate and add to directions on important related matter i.e. due utilisation of environmental compensation funds for restoration of environment expeditiously by devising appropriate mechanism by the State authorities.

5. It is a matter of common knowledge that environmental compensation funds for restoration of environment have been collected by statutory regulators, particularly State PCBs and SEIAAs but the same are not being utilised for such purpose though directions have been earlier issued on the subject. In Haryana, such funds may also be available with Haryana Water Resource Authority, under State law on the subject. It thus appears to be necessary to direct due utilisation for restoration of environment expeditiously.

6. This aspect has been dealt with inter alia order dated 22.1.2019 in OA 101/2019, filed by CPCB approving the course of action suggested by the CPCB. In pursuance of further order of the Tribunal dated 28.8.2019 in OA 593/2017, Paryavaran Suraksha case, CPCB issued guidelines for use of compensation which are in public domain. Further orders were passed by the Tribunal on 24.7.2020 in OA102/2019, Ashish Kumar Dixit case in response to which CPCB filed status report in the matter on 8.2.2021 which was dealt with vide order dated 9.2.2021 directing further action for utilisation of the funds. Extracts from order dated 27.4.2020 and 9.2.2021 are reproduced below for ready reference:

***Order dated 24.7.2020 in OA102/2019***

“4. ....What is required in terms of orders of this Tribunal is to spend the environmental restoration fund for the purpose it is meant for, viz., for **restoration of the environment such as strengthening vigilance mechanism, setting up of laboratories, for monitoring of environment, coordination with the District Magistrates to prepare District Environment Plans, hiring of experts and consultants, undertaking remediation and study of contaminated sites** etc. We may recall observations of the Hon’ble Supreme Court in dealing with Compensatory Afforestation (Campa) Fund in *T.N.Godavarman v. UOI*, (2014) 6 SCC 150 that such funds be spent as per plan to be approved by the National Campa Advisory Council (NCAC) for purposes such funds are raised and not for governmental functions.

5. **Accordingly, we direct the State PCB to revisit its plan. The CPCB may oversee preparation of such action plan in the light of earlier orders<sup>1</sup> of this Tribunal. The Chairman and Member Secretary may have a meeting (physical or online) with Chairman and Member Secretary of the State PCB within one month. Plan may be finalized, with the approval of CPCB, within two months. All other State PCBs and PCCs may also prepare similar action plans for restoration of environment and implementation of District Environment Plans, in coordination with CPCB. CPCB may also prepare such plan for utilization of funds available with it. CPCB may file compliance report to this effect within four months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.”**

#### **Order dated 9.2.2021 in OA 102/2019**

“We now refer to the report of the CPCB on the subject of utilizing EC funds for restoration of environment:-

#### **“Action taken/status: CPCB’s New Proposals for utilization of EC Fund:**

In compliance to the aforesaid directions of Hon’ble NGT, CPCB has prepared Action Plans on various activities for utilization of EC funds. The following Action Plans are under consideration of EC Project Appraisal Committee:

	<b>Action Plan</b>	<b>Estimated Cost (INR in Crore)</b>

<sup>1</sup>17(iii), Order dated 28.08.2019, OA 95/2018, *Aryavart Foundation v. M/s Vapi Green Enviro Ltd. & Ors.*

12, Order dated 06.08.2019, OA 681/2018, News item published in “The Times of India” Authored by Shri Vishwa Mohan Titled “NCAP with multiple timelines to clean air in 102 cities to be released around August 15”

12, Order dated 05.11.2019, OA 639/2018, *Shailesh Singh v. State of Haryana & Ors.*

33, Order dated 10.07.2019, OA 1038/2018, News Item published in “The Asian Age” Authored by Sanjay Kaw titled “CPCB to rank industrial units on pollution levels”

20(viii), Order dated 26.08.2019, OA 804/2017, *Rajiv Narayan v. Union of India & Ors.*

8 & 9, Order dated 15.07.2019, OA 710/2017, *Shailesh Singh v. Sheela Hospital & Trauma Center*

	<i>Framing of 36 Nos. of District Environmental Plan Covering all states of India</i>	3.60
	<i>Making of Air Pollution Awareness Videos/Animation for Mass Awareness</i>	0.63
	<i>Preliminary Study on Impact of Ecological Flows in Downstream of Reservoir (s) on Riparian Ecosystem (Aquatic Life) in the River Ganga from Origin till Unnao along-with Biomonitoring along the entire stretch of River Ganga till confluence at Bay of Bengal.</i>	2.30
	<i>Development of Water Quality Criteria &amp; National Water Quality Index</i>	0.40
	<i>Development of state of art laboratory infrastructure/furniture including plinth mounted island benches for CPCB Regional Directorate Laboratory, Bhopal</i>	0.46

### **3. Status on Utilization of Environmental Compensation Fund (NGT-25%) available with CPCB:**

*It is submitted that the Hon'ble NGT vide order dated 22.01.2019 in O.A. No 101/2019 in the matter of Central Pollution Control Board Vs. Assam State Pollution Control Board & Ors, has granted approval for utilization of 25% Environmental Compensation Fund (hereinafter referred to as EC Fund) for specified activities in line with "Guidelines for Utilization of EC Fund" prepared by CPCB.*

*In compliance of said order of Hon'ble NGT dated 22.01.2019, a separate dedicated account is being maintained by CPCB for receiving of EC (25%) fund. In this regard, **CPCB also constituted an EC Project Appraisal Committee for utilization of EC fund. Recently, CPCB has re-constituted the said committee vide office order dated June 16, 2020 comprising of officials from CPCB, MoEF&CC, Department of Science and Technology and NEERI for evaluation and recommendation of projects proposals from CPCB/SPCBs/PCCs for financial assistance under EC fund.***

*CPCB so far organized ten (10) EC Project Appraisal Committee meetings for evaluations and recommendations of project proposals submitted by CPCB/SPCBs/PCC in line with "Guidelines for Utilization of EC Fund" prepared by CPCB. Status on proposals evaluated and recommended by the Committee for utilization of EC fund as below:*

#### **a) Project Proposals received by the EC Project Appraisal Committee**

<b>Items</b>	<b>No. of Proposals</b>
(i) Total Proposals Received	80
(ii) Total Proposals Appraised	80
(iii) Proposals not considered / rejected / revised	47
(iv) Proposals Recommended & Approved	33

**b) Number & type of project proposals recommended as per Guidelines for utilization of EC Fund**

<b>Type of Activities</b>	<b>No. of Proposals</b>
(i) Strengthening of laboratory upgradation	9
(ii) Research & Development Projects	6
(iii) Follow-up for Hon'ble NGT Court cases	9
(iv) Inventorization sources of pollution	2
(v) IEC activities	2
(vi) Capacity building of CPCB/SPCBs/PCCs	2
(vii) Development Air & Water quality Monitoring & surveillance	3

**b) EC fund utilization status**

<b>Components</b>	<b>Amount status (INR in Crore)</b>
(i) EC Fund received (as NGT-25%) till date December, 2020	123.20
(ii) EC Fund (25%) released for 23 Project proposals	22.38
(iii) Committed expenditure for 11 Project proposals (Details is given at <b>Annexure-IV</b> )	65.32
(iv) Fund available under NGT-25% Account	35.49
(v) Retain emergency fund	16.01
(vi) Fund available for funding of Project proposals	19.48

**4. Revised mechanism for Utilization of EC Fund available with CPCB**

Based on the experience, it was felt necessary to revise the 100% funding to SPCBs/PCCs under EC fund from Central fund. Part contribution by SPCBs/PCCs may ensure their ownership and identification of meaning full proposals. Following fund sharing

*pattern has been recommended by the EC Project Appraisal Committee is submitted for kind information of Hon'ble NGT as below:*

- a) *100% funding for CPCB all project proposals*
- b) *100% funding to R & D projects, received from SPCBs/PCCs, with replicability in other areas*
- c) *Projects (other than R & D) received from SPCBs/PCCs (except NE-States/Weaker States); fund sharing will be on 60:40 ratio (i.e. CPCB 60%, SPCB/PCC 40%)*
- d) *Projects (other than R & D) from NE-SPCBs and Weaker SPCBs, fund sharing will be on 90:10 (i.e. CPCB- 90%, SPCB/PCC -10%)”*

*With regard to the issue of utilization of environmental funds, we find that the application for approval was filed by the State PCB on 13.10.2020 and the approval was granted on 14.10.2020. It is not clear whether the proposal received full attention, considering details of different heads such as Environmental Surveillance Cell. It may thus be necessary that the CPCB revisits the subject and grant its approval after due appraisal by the Chairman and the Member Secretary, considering the details and the observations in para 4 in the order of this Tribunal dated 24.07.2020 quoted above in para 6, namely hiring of Experts, undertaking remediation and study of the contaminated sites and allied issues. These observations are based on the judgment of the Hon'ble Supreme Court in T.N. Godavarman v. UOI, (2014) 6 SCC 150. The CPCB may also consider the details of expenditure to be incurred for the District Environment Plans and priority to be accorded to different items of expenditure, with funds being limited. Focus of utilization of EC funds should primarily be for remediation/restitution of environment.”*

7. Consistent with the above directions, we direct that updated action plans be got prepared and executed by the Chief Secretaries of all States/UTs. The recovered compensation may be credited to a separate account under the Chief Secretary and used as per said plans only. This will apply to compensation deposited with the State PCBs/PCCs and also other regulators such as SEIAAs, Water Resource Authorities etc. The utilisation plans may be in sync with State/District Environment Plans, in pursuance of order of this Tribunal dated 26.09.2019 in OA No. 360/2018, *Shree Nath Sharma vs. Union of India & Ors.* The process of planning and execution for utilisation of such funds may be preferably entrusted to a high powered Committee of three Additional Chief Secretaries, identified by the Chief Secretary within one month. Such plans and progress in execution may be placed on websites of the States/UTs after every six months. A part

of funds be provided for environment awareness through eco clubs in all Schools and Colleges upto grassroot levels in the State through the education Departments. States/UTs may also coordinate with Legal Services Authorities, if viable.

8. The Chief Secretary, Haryana may furnish an action taken as on 30.04.2023 before the Registrar General of this Tribunal on or before 15.05.2023 by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. If the Registrar General of this Tribunal considers it necessary, the matter may be placed before the Bench for further directions.

Subject to above, the application stands disposed of.

A copy of this order be forwarded to MoEF&CC, CPCB, Chief Secretaries, PCBs/PCCs, State Legal Services Authorities and District Magistrates of all the States/UTs by e-mail.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

October 21, 2022  
M.A. No. 74/2022  
IN OA No. 976/2019  
DV

**Government of Himachal Pradesh**  
Department of Environment, Science, Technology & Climate Change  
\*\*\*\*\*

No. STE-E (3)-7/2021

Shimla-2, Dated:  May, 2025

**NOTIFICATION**

WHEREAS, the Hon'ble National Green Tribunal, Principal Bench, New Delhi, vide order dated 21.10.2022 passed in M.A. No. 74/2022 in Original Application No. 976/2019 titled *Gurinder Singh & Others vs. Union of India & Others*, has directed that Environmental Compensation (EC) funds recovered by State Pollution Control Boards and other regulatory authorities be duly and effectively utilised for environmental restoration in accordance with structured and transparent mechanisms;

2. WHEREAS, the said order mandates that the process of planning and execution for utilisation of such funds be entrusted to a High Powered Committee under the supervision of the Chief Secretary, comprising senior functionaries of the State Government, and that the action plans so prepared be consistent with the State and District Environment Plans, and progress be reviewed and made public periodically;

3. WHEREAS, the effective deployment of Environmental Compensation funds is also aligned with the mandate of the **Environment (Protection) Act, 1986**, particularly Section 3(3), which empowers the State to take appropriate measures for the protection and improvement of the environment, as well as with the advisories and guidelines issued by the **Central Pollution Control Board (CPCB)**, including those on the utilisation of EC funds based on the "polluter pays" principle;

4. NOW, THEREFORE, in compliance with the above directions and in exercise of the powers conferred under Section 23 of the Environment (Protection) Act, 1986 read with Rule 5 of the Environment (Protection) Rules, 1986 and all other enabling provisions, the Governor, Himachal Pradesh is pleased to constitute a **High Powered Committee** to oversee and guide the efficient and judicious utilisation of Environmental Compensation funds available with the Himachal Pradesh State Pollution Control Board, The State Environment Impact Assessment

Authority (SEIAA) and Department of Environment, Science Technologies & Climate Change. The composition of the Committee shall be as follows:

Sr. No.	Name & Designation	
1.	Chief Secretary	Chairperson
2.	ACS/Pr. Secy./Secretary (Forests)	Member
3.	ACS/Pr. Secy./Secretary (Jal Shakti Vibhag)	Member
4.	ACS/Pr. Secy./Secretary (Environment)	Member
5.	ACS/Pr. Secy./Secretary (Rural Development)	Member
6.	ACS/Pr. Secy./Secretary (Urban Development)	Member
7.	Member Secretary, H.P. State Pollution Control Board	Member
8.	Director, Department of Environment, Science, Technology & Climate Change	Member-Secretary / Convener

5. The Committee shall ensure that the EC funds are utilised strictly for environmental protection and restoration works in line with the guidelines issued by the Hon'ble NGT and CPCB. The indicative areas for utilisation include but are not limited to the following:

- a) Development and up-gradation of real-time and satellite-based infrastructure for air, water, and noise quality surveillance and monitoring across the State.
- b) Preparing clear guidelines for different industries to reduce pollution by using cleaner and more environment-friendly technologies.
- c) Remediation of contaminated sites and legacy waste sites, including restoration, plantation and hiring of domain experts.
- d) Scientific studies and investigations related to environmental damage, carrying capacity assessments, and DPR preparation.
- e) Research and development of clean, sustainable technologies and processes.
- f) Restoration of areas damaged by mining activities, including cleaning up polluted sites, replanting trees, and repairing the surrounding environment.
- g) Capacity building and skill enhancement of the scientific and technical personnel of the HP State Pollution Control Board.

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- h) Compliance-related services, including honorarium and support to institutions or personnel involved in execution of judicial orders.
- i) Specialized studies on accidental spill sites, persistent pollutants, and emerging environmental challenges.
- j) Information, Education and Communication (IEC) campaigns for environmental awareness.
- k) Support to Rural and Urban Local Bodies (RLBs/ULBs) for strengthening waste management systems, improving sanitation, and augmenting environment-related infrastructure and public services.
- l) Any other scientific or technical intervention in the interest of environmental protection and ecological sustainability.

6. The Committee shall meet at regular intervals to assess progress, approve proposals, and ensure accountability. The status of utilisation of funds and implementation of approved projects shall be submitted to this Department for further uploading the same on the State Government's portal every six months for public disclosure.

By Order

(Prabodh Saxena), IAS  
**Chief Secretary to the  
 Government of Himachal Pradesh**

Endst. No. As above Dated: Shimla-171002,  
 Copy for information and necessary action to:

30/5 May, 2025

1. All the Pr. Advisors to the Government of Himachal Pradesh, Shimla-2.
2. All the Additional Chief Secretaries/Pr. Secretaries/Secretaries to the Government of Himachal Pradesh, Shimla-2.
3. All the Member(s) (By Designation)
4. The Secretary to Chief Minister, Himachal Pradesh, Shimla-2.
5. The Pr. Private Secretary to Chief Minister, Himachal Pradesh, Shimla-171002.
6. The Sr. Private Secretary to Chief Secretary to the Govt. of HP, Shimla-2.
7. The Director, Environment, Science & Technology Department, H.P., Shimla-171001.
8. The Member Secretary, H.P. State Pollution Control Board, Shimla-171009.
9. Guard file.

(Satpal Dhiman)

30-05-2025  
 Addl. Secretary (EST. & CC) to the  
 Government of Himachal Pradesh  
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