

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

OA No. 294/2025

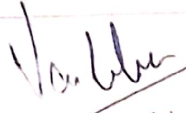
**IN THE MATTER OF:**

News Item titled "From paradise to landfill? Viral video shows famous Himachal Pradesh hill station turned into a garbage dump" appearing in "The Economics Times" dated 30.05.2025.

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Respondent No. 1

Dated: 02.08.2025

Place: Shimla

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

**O.A. No. 294/2025**

**IN THE MATTER OF:**

News Item titled "From paradise to landfill? Viral video shows famous Himachal Pradesh hill station turned into a garbage dump" appearing in "The Economics Times" dated 30.05.2025.

**REPLY/RESPONSE BY WAY OF  
AFFIDAVIT TO THE ORIGINAL  
APPLICATION ON BEHALF OF  
RESPONDENT NO. 1 i.e. HP STATE  
POLLUTION CONTROL BOARD IN  
COMPLIANCE TO HON'BLE NGT'S  
ORDER DATED 05.06.2025.**

**MAY IT PLEASE YOUR LORDSHIPS:-**

I, Anil Joshi, (IFS) son of Sh. Ram Datt Joshi, aged 59 years, presently working as Member Secretary, H.P. State Pollution Control Board, Him Parivesh, Phase-III, BCS, New Shimla, Himachal Pradesh, do hereby solemnly declare and affirm on oath as under: -

1. That the present Original Application has been registered suo motu by this Hon'ble Tribunal on the basis of a 'News Item' published in "The Economic Times" dated 30.05.2025 regarding the issue of

**A T T E S T E D**

Oath Commissioner.

  
Member Secretary,  
HP State Pollution Control  
Shimla

‘unscientific dumping of solid waste’ at Kasol, District Kullu, H.P.

2. That the present Original Application came up for hearing on 05.6.2025 wherein, following directions have been passed:-

“...6. Let notice be issued to the respondents for filing their response/reply by way of affidavit at least one week before the next date of hearing...”.

3. That it is pertinent to submit here that the Hon’ble High Court of H.P. has also taken *suo motu* cognizance on the same issue and registered a CWPIIL No. 36/2025, titled as Court on its own motion Vs. State of H.P. & ors. on the basis of aforesaid ‘News Item’ published in “The Economic Times” dated 30.05.2025 regarding the issue of ‘unscientific dumping of solid waste’ at Kasol, District Kullu, H.P. (Copy of CWPIIL is annexed as **Annexure R-1/1**) The CWPIIL was listed before the Hon’ble High Court on 19.06.2025 and 24.07.2025 and copies of the order dated 19.06.2025 & 24.07.2025 are annexed as **Annexure R-1/2, collectively.**

4. That the State Govt. of HP vide notification dated 07.05.2025 (**Annexure R-1/3**), has framed a Policy for Solid waste Management Facilities in Rural Areas, 2024” providing for a legally binding

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Qam Commissioner

Member Secretary,  
HP State Pollution Control  
Shimla

framework alongwith SOPs under the H.P. Panchayati Raj Act, 1994 and Solid Waste Management Rules, 2016 to promote scientific waste disposal and environment sustainability. As per this policy, Gram Panchayats, Panchayat Samitis, Zila Parishads, BDOs, Deputy Commissioners etc. have been assigned their role for implementation of this policy for scientific solid waste in rural area.

5. That the State Board being regulatory authority is already seized of the matter and actively undertaking regulatory action against the violators by issuing notices, directions and imposing Environmental compensation from time to time as would be revealed from the submissions made in paras hereinafter.
6. That earlier the site in question was falling under the jurisdiction of Gram Panchayat, Kasol, District Kullu. But, at present this site falls under the jurisdiction of Special Area Development Authority (SADA), Manikaran, District Kullu, H.P. Therefore, Gram Panchayat and SADA, Manikaran needs to be arrayed as party-respondent(s) in this matter.
7. That the officials of Regional Office, HPSPCB, Kullu, has conducted inspection of the site on 24.05.2025, 02.06.2025 and 18.06.2025 wherein, it was observed that solid waste was found dumped in

A T T E S T E D

Date Commissioner.

  
Member Secretary,  
HP State Pollution Control  
Shimla

forest area along the road leading to village Grahah. Notices/directions to SADA, Manikaran, Gram Panchayat, Kasol were issued to lift and process the dumped solid waste from the spot on 28.05.2025, 21.06.2025 and copies of the same are attached as **Annexure R-1/4, collectively**).

8. That in response to aforesaid show cause notice issued by the State Board, a reply dated 16.06.2025 (**Annexure R-1/5**), has been received from the Member Secretary, Special Area Development Authority, Manikaran-cum-Town and Country Planner, TCP, Kullu wherein, following statements have been made:-

(i) *Earlier, the site in question was allotted on temporary basis to the contractor i.e. M/s Lakshay Total Solution) for collection and segregation of garbage on verbally basis by the Forest Department with the consent of concerned Gram Panchayat, Kasol.*

(ii) *After receiving the complaint against the contractor for non-disposal of garbage waste, show cause notice dated 22.05.2025, 23.05.2025 & 27.05.2025 were issued to the contractor for non-segregation of garbage from old kasol Bridge to Material Recovery Facility (MRF) site (SWM Plant) and to segregate the legacy waste and removal of the*

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Distt. Commissioner



same and clearing the site. Further, the penalties as per the condition of the tender documents are being imposed for non-satisfactory performance on contractor. The garbage was segregated and thereafter the segregated waste (RFD) has been transported to Cement Factory at Bagha, Tehsil Arki, District Solan H.P.

(iii) The plastic item waste segregated from the legacy waste has been sent to the scrap vendors by the contractor. Thereafter, the remaining legacy waste has been shifted to the proposed Solid Waste Management Plant, Kasol. The in-principal approval for diversion of forest land measuring area 0.1982 hac. in favour of Block Development Officer, Kullu has been conveyed by the Deputy Inspector General of Forest (C) Ministry of Environment, Forest and Climate Change, New Delhi, vide letter dated 22.11.2024 for proposed Solid Waste Management Site, Kasol.

(iv) The temporary site has been now cleared and no waste has been kept in open space and the legacy waste stands transported to the proposed Solid Waste Management Plant, Kasol. Further, SADA, Manikaran has already released Rs. 30.00 Lacs in favour of Block Development Officer, Bhuntar for construction of

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Oath Commissioner

  
Member Secretary,  
HP State Pollution Control  
Shimla

*proposed Solid Waste Management Plant, Kasol vide letter dated 01.05.2025.*

*(v) Now, SADA, Manikaran has already stopped the garbage collection work till the proposed Solid Waste Management Plant, Kasol is fully established. Further, necessary steps for removal of legacy waste are being taken with the co-ordination of other departments and concerned Gram Panchayats.*

9. Thereafter, the site in question was again inspected by the officials of the Regional Officer, HPSPCB, Kullu on 01.07.2025 and during inspection, following observations were made:-

- The Special Area Development Authority (SADA), Manikaran has still not completely lifted the dumped waste from the alleged spot and traces of inert waste were found lying at the site. Some recyclable waste was also found at site, packed in garbage bags.
- The waste dumped at proposed Material Recovery Facility, Kasol has still not been processed till date.
- The construction work of Material Recovery Facility, Kasol was found to have been started and at initial stage and foundation pits for

**A T T E S E D**

*[Signature]*  
Joint Commissioner.

*[Signature]*  
Member Secretary,  
HP State Pollution Control  
Shimla

column has been excavated at proposed Material Recovery Facility site.

(Photographs of the site are annexed as **Annexure R-1/6**).

10. That the State Board is keeping strict vigil over the matter and in addition to issuing directions to the Special Area Development Authority, Manikaran for lifting the solid waste from the spot, the State Board has also imposed an 'Environmental Compensation' of Rupees One Lac (1,00,000/-) each upon Gram Panchayat, Kasol and Special Area Development Authority, Manikaran vide letters dated 03.06.2025 and 12.06.2025 for dumping of solid waste and violation of the Solid Waste Management Rules, 2016. Copies of letters dated 03.06.2025 & 12.06.2025 imposing Environmental Compensation are annexed as **Annexure R-1/7, collectively**).

Despite directions issued, the Special Area Development Authority (SADA), Manikaran has not completely lifted the waste from the alleged site as per inspection dated 18.06.2025 and 01.07.2025 therefore, the State Board, vide letter dated 01.08.2025 (**Annexure R-1/8**), again imposed further 'Environmental Compensation' to the tune of Rs. One Lac, Ninety Thousand (1,90,000/-) upon the Special

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Qam. Commissioner.

  
Member Secretary,  
HP State Pollution Control  
Shimla

Area Development Authority (SADA), Manikaran for not complying with the directions issued by the State Board under the Solid Waste Management Rules, 2016.

- 11. That the aforementioned response on behalf of respondent no. 1 i.e. HPSPCB, may kindly taken on record and directions as deem fit may kindly be passed in public interest.

*[Signature]* DEPONENT

Member Secretary,  
HP State Pollution Control  
Shimla

**VERIFICATION:-**

*[Signature]*  
Identified by

I, Anil Joshi, the deponent named hereinabove, do hereby solemnly affirm and state that the contents of this affidavit are true and correct to the best of my knowledge. The contents of paras 1-11 of the affidavit are derived from the official record and believed to be true and correct.

ATTESTED

*[Signature]*  
Oath Commissioner

Verified at Shimla on this 1<sup>st</sup> day of August, 2025.

*[Signature]* DEPONENT

Member Secretary,  
HP State Pollution Control  
Shimla

I, Anil Joshi, do hereby solemnly affirm and state that the contents of this affidavit are true and correct to the best of my knowledge. The contents of paras 1-11 of the affidavit are derived from the official record and believed to be true and correct.

I, Anil Joshi, do hereby solemnly affirm and state that the contents of this affidavit are true and correct to the best of my knowledge. The contents of paras 1-11 of the affidavit are derived from the official record and believed to be true and correct.

*[Signature]*  
Oath Commissioner  
HP High Court, Shimla

*[Signature]*  
Advocate

*[Signature]*  
All Corrections, Corrections & Additions  
are attested by me  
1-8-25  
Oath Commissioner

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA-1.

CWPIL -36/2025

MEMO OF PARTIES

In the matter of :-

Court on its own motion

.....Petitioner

Versus

1. State of H.P., through Chief Secretary to the Government of Himachal Pradesh, Shimla-171002.
2. The Secretary (Tourism) to the Govt. of Himachal Pradesh.
3. The HP State Pollution Control Board, through its Member Secretary, New Shimla, HP.
4. The Deputy Commissioner, Kullu, District Kullu HP.
5. The Sub Divisional Magistrate, Kullu, District, Kullu HP.

..... Respondents



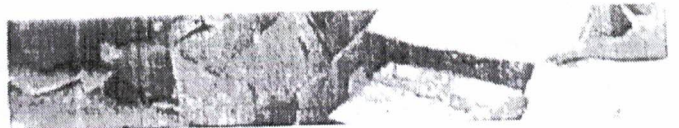
Today's News Quick Reads E-Paper Stock Recos Stream

PANACHE

# From paradise to landfill? Viral video shows famous Himachal Pradesh hill station turned into a garbage dump



The Economic Times App  
10M Downloads



## Synopsis

Kasol, once known as the 'Pride of Himachal', faces a severe pollution crisis. Social media videos show garbage scattered across the Parvati Valley. This raises concerns about environmental policies and enforcement. Citizens criticize irresponsible tourists and local authorities. They question the use of the 'green tax'. The situation highlights the decline of responsible tourism in the Himalayan region.

By ET Online

Follow us

May 30, 2025, 04:32:00 PM IST

Once hailed as the "Pride of Himachal," Kasol, a picturesque village nestled in the **Parvati Valley**, has become the centre of a disheartening conversation. Often sought out by backpackers and nature lovers for its pristine landscapes and laid-back vibe, this Himalayan haven is now trending online for all the wrong reasons. Viral videos circulating on social media platform X have painted a disturbing picture of unchecked pollution, exposing large mounds of garbage dumped across forest areas once celebrated for their natural serenity. As the mountains draw bigger crowds each year, preserving their charm has become more than just a wish, it's a necessity.

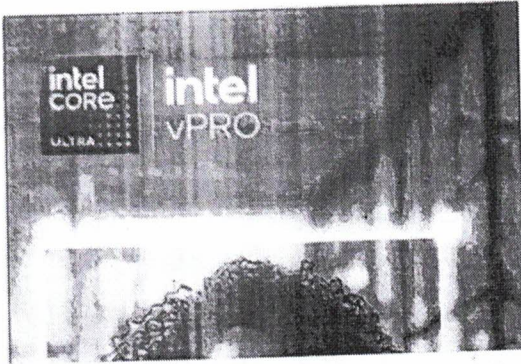
ADVERTISEMENT



The clips show alarming visuals: plastic bags, empty bottles, food wrappers, and other non-biodegradable waste scattered across lush green patches. What should have been a quiet retreat into nature now resembles a neglected landfill. The situation has reignited urgent calls for better **environmental policies**, on-ground enforcement, and awareness campaigns.



enforce basic waste management protocols. Many netizens questioned the very purpose of the "green tax" tourists pay upon entering Himachal Pradesh, wondering where that money actually goes.





**Item No. D-1**

**Court on its own motion Vs. State of HP & others.**

**CWPIL No. 36 of 2025**

19.06.2025

Present: Court on its own motion.

Mr. Pranay Pratap Singh, Additional Advocate General, for respondents No. 1, 2, 4, 5 & 7-State.

Mr. Dheeraj Thakur, Advocate, for respondent No. 3-Pollution Control Board.

The present Public Interest Litigation has been initiated on the basis of a news paper item regarding the dumping of garbage in the form of plastic bags, empty bottles, food wrappers etc. at Kasol, District Kullu.

Notice. Mr. Pranay Pratap Singh, learned Additional Advocate General, accepts notice for respondents No. 1, 2, 4 & 5 and Mr. Dheeraj Thakur, Advocate, accepts the same for respondent No. 3.

On oral request made by the learned Additional Advocate General, Gram Panchayat, Kasol through its Pradhan and the Directorate of Panchayati Raj Department through its Director, are impleaded as party respondents in the petition. The said respondents shall figure as respondents No. 6 & 7. Office to make necessary corrections.

Notice to the newly added respondents  
No. 6 & 7. Mr. Pranay Pratap Singh, learned  
Additional Advocate General, accepts notice for  
respondent No. 7.

To come up for service of respondent No.  
6 on **24.07.2025**.

**(G.S. Sandhawalia)**  
**Chief Justice.**

**(Ranjan Sharma)**  
**Judge**

**June 19, 2025**  
(hemlata)



20  
-15-

Court on its own motion versus State of HP & ors.

CWPIL No.36 of 2025

[Item No.D-26]

**24.07.2025**

**Present:** Court on its own motion.

Mr. Gobind Korla, Additional Advocate General, for respondents No.1, 2, 4, 5 & 7-State.

Mr. Dheeraj Thakur, Advocate, for respondent No.3-Pollution Control Board, Shimla.

Respondent No.6-Pradhan [Ms. Besru Devi] Pradhan Gram Pachayat, Kasol, District Kullu [HP], present in person.

Counsel for the State prays for time to file status report/affidavit. Respondent No.6 submits that service of legal aid counsel is being availed.

Accordingly, let pleadings be completed by the next date.

List on **01.09.2025**.

**(G.S. Sandhawalia)**  
**Chief Justice**

**(Ranjan Sharma)**  
**Judge**

**July 24, 2025**

[Shivender/Bhardwaj]

GOVERNMENT OF HIMACHAL PRADESH  
DEPARTMENT OF RURAL DEVELOPMENT

No. RD-E04/1/2024-Loose Dated: Shimla-2, the 7<sup>th</sup> May, 2025.

NOTIFICATION

With a view to ensuring systematic, sustainable, and legally enforceable Solid Waste Management (SWM) in rural areas, the Governor, Himachal Pradesh is pleased to notify the "Policy for Solid Waste Management Facilities in Rural Areas, 2024". This policy aims to strengthen institutional mechanisms, enforce financial sustainability, and establish a legally binding framework under the Himachal Pradesh Panchayati Raj Act, 1994 and the Solid Waste Management Rules, 2016 to promote scientific waste disposal and environmental sustainability.

1) Short Title and Commencement

- a) This policy shall be called the "Policy for Solid Waste Management Facilities in Rural Areas, 2024."
- b) It shall come into force from the date of its notification in the e-Gazette and shall remain in force unless modified or superseded by a subsequent order of the Government of Himachal Pradesh.

2) Definitions:

For the purpose of this policy, unless the context otherwise requires:

- a) "Gram Panchayat" means a local self-government institution as defined under the Himachal Pradesh Panchayati Raj Act, 1994.
- b) "Solid Waste Management (SWM)" refers to the collection, segregation, transportation, processing, and disposal of solid waste in accordance with the Solid Waste Management Rules, 2016.
- c) "Self-Help Groups (SHGs)" means registered community-based groups engaged in economic activities, as per the Himachal Pradesh Self-Help Groups Act, 2018.
- d) "Plastic Waste Management Units (PWMUs)" refers to processing units established under the Plastic Waste Management Rules, 2016.

*Dr*  
Secretary (Rural Development)  
to the Govt. of Himachal Pradesh

### 3) Applicability of the Policy

This policy shall be applicable to all Gram Panchayats, Panchayat Samitis, Zila Parishads, and rural areas falling within the jurisdiction of the Government of Himachal Pradesh. It shall be binding upon:

- a) Gram Panchayats and rural local bodies, which shall be responsible for implementing solid waste management programs.
- b) Households, commercial establishments, and institutions that generate waste within rural areas.
- c) Waste processing and disposal entities, Self-Help Groups (SHGs), and private sector entities involved in SWM operations.

### 4) Objectives of the Policy:

- a) To establish a structured solid waste management system in all Gram Panchayats in line with Article 243G of the Constitution of India.
- b) To integrate SWM into the Gram Panchayat Development Plans (GPDPs) for sustainable and decentralized waste management.
- c) To enforce waste segregation at source and develop processing infrastructure at the Panchayat, Block, and District levels.
- d) To implement financially viable models through the imposition of sanitation fees, utilization of 15<sup>th</sup> Finance Commission grants, and Public-Private Partnerships (PPP).
- e) To establish Plastic Waste Management Units (PWMUs) and community composting facilities at the Block level.
- f) To promote IEC (Information, Education, and Communication) campaigns for public awareness and behavioral change.

### 5) Institutional Framework

- a) Gram Panchayats shall be responsible for primary waste collection, segregation, and local processing in compliance with Section 44 of the Himachal Pradesh Panchayati Raj Act, 1994.
- b) Panchayat Samitis shall oversee inter-Panchayat coordination, training, and fund utilization under the 15th Finance Commission grants.
- c) Zila Parishads shall monitor policy implementation, ensure land allocation for PWMUs, and provide financial support to smaller Gram Panchayats.

- d) The Department of Rural Development shall formulate the Standard Operating Procedures (SOPs) for inter-agency coordination and issue necessary guidelines.
- e) The Urban Development Department shall collaborate with peri-urban Panchayats to facilitate waste disposal at existing urban waste processing facilities.

6) Financial Provisions

- a) **Sanitation Fee:** Gram Panchayats shall impose a mandatory sanitation fee on households and commercial entities, as authorized under Section 44 of the Himachal Pradesh Panchayati Raj Act, 1994.
- b) **Utilization of 15<sup>th</sup> Finance Commission Grants:** Tied grants shall be allocated for waste collection, transportation, and PWMU operation at the Panchayat Samiti level.
- c) **PPP and CSR Models:** Gram Panchayats may enter into Public-Private Partnerships (PPP) and Corporate Social Responsibility (CSR) agreements to enhance financial sustainability.
- d) Beside the above, grants may also be given by the Central or State Governments to the Panchayats and other PRIs for facilitating proper waste collection/segregation/disposal.

7) Waste Segregation and Processing

- a) **Household-Level Segregation:** Waste shall be segregated at the source into biodegradable, non-biodegradable, and hazardous waste before collection.
- b) **Processing Infrastructure:**
  - i) One Plastic Waste Management Unit (PWMU) per Block shall be established with shredding, baling, and dust removal machinery.
  - ii) Community composting pits shall be created for biodegradable waste management.
  - iii) Self-Help Groups (SHGs) and Cluster Level Federations (CLFs) shall be trained in waste recycling, upcycling, and revenue generation activities.

*Ak*

Secretary (Rural Development)  
to the Govt. of Himachal Pradesh

## 8) Penal Provisions

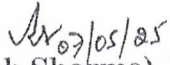
- a) Gram Panchayats shall impose fines on households and establishments violating waste segregation norms.
- b) Repeated non-compliance may result in the cancellation of trade licenses as per Section 120 of the Himachal Pradesh Panchayati Raj Act, 1994.

## 9) Monitoring and Evaluation

- a) Block Development Officers (BDOs) shall ensure the implementation of waste collection and processing mechanisms at the Block level.
- b) Deputy Commissioners shall monitor progress and submit quarterly reports to the Department of Rural Development.

## 10) Dispute Resolution

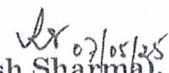
Any dispute arising from the interpretation of this policy shall be referred to the Secretary (Rural Development), Government of Himachal Pradesh, whose decision shall be final and binding.

  
 (Rajesh Sharma), IAS  
 Secretary(Rural Dev.) to the  
 Government of Himachal Pradesh  
 7th May, 2025.

Endst. No. As above dated Shimla-171002 the

Copy forwarded for information and necessary action to:-

1. The Principal Secretary to Chief Minister for information of Hon'ble CM of H.P.
2. The ACS/ Pr. Secy/ Secy (Finance) to the Govt. of H.P for information.
3. The Accountant General, (A&E), H.P, Shmla-3.
4. All the Divisional commissioners in Himachal Pradesh.
5. The Director, Rural Development, Kasumpti, Shimla with a request to circulate amongst all Districts, Blocks, Gram Panchayats and also upload the Scheme on the website.
6. The Director, IPR, Himachal Pradesh for wider publicity.
7. The Pr. Private Secretary to the Hon'ble RD& PR Minister, Himachal Pradesh for information.
8. All the Deputy Commissioners in Himachal Pradesh.
9. All District Development Officer, Himachal Pradesh.
10. All Block Development Officer, Himachal Pradesh.

  
 (Rajesh Sharma), IAS  
 Secretary(Rural Dev.) to the  
 Government of Himachal Pradesh

## STANDARD OPERATING PROCEDURE (SOP) FOR IMPLEMENTATION OF SOLID WASTE MANAGEMENT POLICY IN RURAL AREAS

### 1. Introduction

The Department of Rural Development, Government of Himachal Pradesh, has developed this Standard Operating Procedure (SOP) to ensure the effective implementation of the Policy for Solid Waste Management Facilities in Rural Areas, 2024. This SOP provides a structured approach for Gram Panchayats, Panchayat Samitis, Zila Parishads, and line departments to achieve systematic, sustainable, and legally enforceable solid waste management (SWM) in rural areas.

### 2. Objectives

The primary objectives of this SOP are:

- a) To establish a **clear execution plan** for rural SWM as per the policy guidelines.
- b) To define the **roles and responsibilities** of various stakeholders.
- c) To ensure compliance with the **Solid Waste Management Rules, 2016**, and **Himachal Pradesh Panchayati Raj Act, 1994**.
- d) To streamline **fund utilization, monitoring, and evaluation** of SWM initiatives.

### 3. Implementation Mechanism

#### 3.1 Role of the Department of Rural Development

- a) Develop and issue **Standard Operating Procedures (SOPs)** for SWM implementation.
- b) Coordinate with the **Department of Urban Development** for peri-urban waste disposal.
- c) Allocate **financial resources** from 15th Finance Commission Grants for infrastructure development.
- d) Conduct **State-level training programs** for PRIs, BDOs, and sanitation workers.
- e) Issue necessary **guidelines for inter-agency coordination** between Gram Panchayats, Urban Local Bodies (ULBs), and waste management agencies.
- f) Develop **IEC (Information, Education, and Communication) materials** for public awareness campaigns.

#### 3.2 Role of Zila Parishads

- a) Provide **technical and financial support** to Gram Panchayats for SWM implementation.
- b) Monitor and evaluate **district-level SWM activities**.

- c) Allocate funds for **capacity building, IEC activities, and infrastructure creation.**
- Ensure proper utilization of **PWMUs and Material Recovery Facilities (MRFs).**

### 3.3 Role of Panchayat Samitis

- a) Oversee and support **Gram Panchayats** in waste collection, processing, and infrastructure development.
- b) Conduct periodic **training programs** for Gram Panchayat officials and sanitation workers.
- c) Ensure timely **utilization of 15th Finance Commission grants** for SWM projects.

### 3.4 Role of Gram Panchayats

- a) Implement **door-to-door collection** of segregated waste through Self-Help Groups (SHGs) or outsourced waste collection agencies.
- b) Set up **community composting units** for biodegradable waste management.
- c) Identify and allocate land for **Plastic Waste Management Units (PWMUs) and waste segregation centers.**
- d) Impose and collect a **mandatory sanitation fee** from households and commercial establishments.
- e) Conduct **awareness campaigns** on waste segregation and disposal through Gram Sabha meetings.
- f) Enforce **penalties for illegal dumping, non-segregation, and burning of waste.**

## 4. Waste Collection, Processing, and Disposal

### 4.1 Waste Collection

- a) Households and businesses must **segregate waste** into:
  - i. **Biodegradable Waste (Green Bin)** – Food waste, garden waste, paper.
  - ii. **Non-Biodegradable Waste (Blue Bin)** – Plastic, glass, metal.
  - iii. **Hazardous Waste (Red Bin)** – Batteries, chemicals, medical waste.
- b) Waste shall be collected **daily or as per the schedule decided by the Gram Panchayat.**
- c) Waste collection shall be managed by **SHGs, CLFs, or designated waste collectors.**

*vr*

Secretary (Rural Development)  
to the Govt. of Himachal Pradesh

#### 4.2 Waste Processing

- a) Biodegradable waste shall be composted at household or community composting units.
- b) Non-biodegradable waste shall be transported to Plastic Waste Management Units (PWMUs).
- c) Hazardous waste shall be disposed of as per guidelines from the Pollution Control Board.

#### 4.3 Waste Disposal

- a) Gram Panchayats shall ensure scientific disposal of non-recyclable waste.
- b) Peri-urban Panchayats shall coordinate with Urban Local Bodies (ULBs) for waste disposal in municipal waste disposal plants.

#### 5. Financial Mechanism

- a) Gram Panchayats shall levy a sanitation fee as per Section 44 of the Himachal Pradesh Panchayati Raj Act, 1994.
- b) Funds from the 15th Finance Commission shall be used for waste collection, transportation, and setting up PWMUs.
- c) PPP and CSR models shall be encouraged for additional funding.

#### 6. Monitoring and Accountability

- a) Block Development Officers (BDOs) shall monitor SWM activities at the Block level.
- b) Deputy Commissioners shall submit quarterly reports to the Department of Rural Development.
- c) Gram Panchayats shall maintain records of waste collection, fees collected, and infrastructure maintenance.
- d) The Law Department shall finalize the Model Bye-Laws for SWM to enable enforcement.

#### 7. Enforcement and Penalties

- a) ₹200 fine for failing to segregate waste at the household or commercial level.
- b) ₹500 fine for burning or illegally dumping waste.
- c) Cancellation of trade licenses for repeated non-compliance by businesses.

*dr*

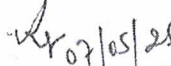
Secretary (Rural Development)  
to the Govt. of Himachal Pradesh

### 8. Capacity Building and Public Awareness

- a) Regular training programs for PRIs, sanitation workers, and SHGs.
- b) IEC campaigns through Gram Sabha meetings, posters, and radio messages.
- c) Promotion of best practices in waste reduction and recycling.

### 9. Dispute Resolution

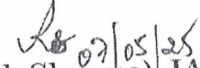
Any disputes arising under this SOP shall be resolved by the Secretary (Rural Development), Government of Himachal Pradesh, whose decision shall be final and binding.

  
 (Rajesh Sharma), IAS  
 Secretary (Rural Dev.) to the  
 Government of Himachal Pradesh  
 May, 2025.

**Endst. No. As above dated Shimla-171002 the**

Copy forwarded for information and necessary action to:-

1. The Principal Secretary to Chief Minister for information of Hon'ble CM of H.P.
2. The ACS/ Pr. Secy/ Secy (Finance) to the Govt. of H.P for information.
3. The Accountant General, (A&E), H.P, Shimla-3.
4. All the Divisional commissioners in Himachal Pradesh.
5. The Director, Rural Development, Kasumpti, Shimla with a request to circulate amongst all Districts, Blocks, Gram Panchayats and also upload the Scheme on the website.
6. The Director, IPR, Himachal Pradesh for wider publicity.
7. The Pr. Private Secretary to the Hon'ble RD& PR Minister, Himachal Pradesh for information.
8. All the Deputy Commissioners in Himachal Pradesh.
9. All District Development Officer, Himachal Pradesh.
10. All Block Development Officer, Himachal Pradesh.

  
 (Rajesh Sharma), IAS  
 Secretary (Rural Dev.) to the  
 Government of Himachal Pradesh



**H.P. STATE POLLUTION CONTROL BOARD**  
 Regional Office: HIMUDA Shopping Complex, Hall No-5, Beasa Moar Kullu,  
 Tehsil & Distt-Kullu-175101(HP), Phone: 01902-223149  
 Website: <http://hppcb.nic.in> E-mail: [pcbokullu1@gmail.com](mailto:pcbokullu1@gmail.com)



No- PCB/RO Kullu/(1641)/MSWM/Vol-II/Kullu/2025 378-84

Dated: 28.05.2025

To  
**The Town & Country Planner -cum- Member Secretary,**  
 Special Area Development Authority, Manikaran,  
 Distt. Kullu (H.P.)

Sub: - **Show Cause Notice under the Water (Prevention and Control of Pollution) Act, 1974 for non-compliance of the Solid Waste Management Rules, 2016, Plastic Waste Management Rules, 2016 and Environment (Protection) Act, 1986.**

Whereas, inspection of Kasol & Manikaran area was conducted by the JEE of this office on dated 24.05.2025 w.r.t. check the status of solid waste management in SADA area and in view of the directions issued in the Hon'ble High Court order in CWPI No. 269/2017. During the course of inspection, it has been observed that solid waste was found littered/dumped along the river Parvati and forest area at various locations which indicate that there is no 100% collection of the solid waste. In addition to this huge dumping of mixed solid waste has been carried out by the contractor of SADA in the forest area along the road leading to the Village Grahan which cause foul smell in the vicinity and may deteriorate the water quality of Grahan Nallah. **(Photographs are enclosed as Annexure-1)**. The aforesaid act is the gross violation in the Water (Prevention & Control of Pollution) Act, 1974 & Solid Waste Management Rules, 2016, Plastic Waste Management Rules, 2016 & Environment (Protection) Act, 1986.

Whereas, as per the **Rule-3(w)** of Plastic Waste Management Rules, 2016 that "*local body*" means urban local body with different nomenclature such as municipal corporation, municipality, nagar palika, nagar nigam, nagar panchayat, municipal council including notified area committee (NAC) and not limited to or any other local body constituted under the relevant statutes such as gram panchayat, where the management of plastic waste is entrusted to such agency.

Whereas, as per the **Rule-6(1)** of Plastic Waste Management Rules, 2016 that *Every local body shall be responsible for development and setting up of infrastructure for segregation, collection, storage, transportation, processing and disposal of the plastic waste either on its own or by engaging agencies or producers.*

**(2)** *The local body shall be responsible for setting up, operationalization and co-ordination of the waste management system and for performing the associated functions, namely: -*

- (a) Ensuring segregation, collection, storage, transportation, processing and disposal of plastic waste.*
- (b) ensuring that no damage is caused to the environment during this process.*
- (c) Ensuring channelization of recyclable plastic waste fraction to recyclers.*
- (d) Ensuring processing and disposal on non-recyclable fraction of plastic waste in accordance with the guidelines issued by the Central Pollution Control Board.*
- (e) Creating awareness among all stakeholders about their responsibilities.*
- (f) Engaging civil societies or groups working with waste pickers.*
- (g) Ensuring that open burning of plastic waste does not take place.*

Whereas, as per the **Rule-20** of Solid Waste Management Rules, 2016 the duties and responsibilities of the local authorities shall be the same as mentioned in **Rule-15** with the additional clauses as under;

**(c)** *Local body shall frame Bye-laws and prohibit citizen from littering wastes on the streets and give strict direction to the tourists not to dispose any waste such as paper, water bottles, liquor*

bottles, soft drink cans, tetra packs, any other plastic or paper waste on the streets or down the hills and instead direct to deposit such waste in the litter bins that shall be placed by the local body at all tourist destinations.

(d) Local body shall arrange to convey the provisions of solid waste management under the bye-laws to all tourists visiting the hilly areas at the entry point in the town as well as through the hotels, guest houses or like where they stay and by putting suitable hoardings at tourist destinations.

(e) Local body may levy solid waste management charge from the tourist at the entry point to make the solid waste management services sustainable.

Whereas, this office has already endorsed copy of notices issued to Gram Panchayat Kasol & Manikaran to implement the Solid Waste Management Rules, 2016 & Swachh Bharat Mission guidelines in aforesaid Gram Panchayats, but despite of this no compliance has been made and submitted by you till date.

Whereas, above mentioned facts tantamount to the provisions of above mentioned Act constituting with cognizable offence punishable under:

- ❖ Section 41, 43 and 44 of the Water (Prevention and Control of Pollution) Act, 1974 attracting fines not be less than **ten thousand rupees**, but which may extend to **fifteen lakh rupees** and where such contravention continues, he shall be liable to pay an additional penalty of **ten thousand rupees every day during which such contravention continues**”.
- ❖ Section 49 of the Water (Prevention and Control of Pollution) Act, 1974 empowers the State Board to file criminal complaint against the violators in the Court of Judicial Magistrate (1<sup>st</sup> Class) for non-compliance of provisions of these acts.
- ❖ Environment Compensation as per Hon'ble NGT order on dated 29.07.2013 in O.A. No. 256 of 2013 titled Abhishek Rai V/s State of HP. & Ors & in OA No. 606/2018.
- ❖ Section 15 of the Environment (Protection) Act, 1986 attracting fines not is less than **ten thousand rupees**, but which may extend to **fifteen lakh rupees** and where such contravention continues, he shall be liable to pay an additional penalty of **ten thousand rupees every day during which such contravention continues**”.

In view of all above, it is required to take action in compliance to above mentioned Rules and Acts and you are hereby directed to show cause as to why the action proposed above shall not be initiated against you and submit the compliance report within **15 days** on the following;

1. Clear the aforesaid solid waste dumping hotspots at Grahani village road and disposed off all waste in a scientific manner through authorized facility.
2. Ensure 100% source segregation as well as 100 % collection of solid waste to make the area littering/dumping free and process all the waste on daily basis in scientific manner.
3. Ensure compliance of the Rule-6 of Plastic Waste Management Rules, 2016 & Rule-20 of Solid Waste Management Rules, 2016.
4. Ensure that there will be no solid waste burning in your area of jurisdiction.

In case of non-compliance the State Board is bound to initiate the action under Water Act, 1974, **Environment (Protection) Act, 1986** and w.r.t. to the directions issued by the **Hon'ble NGT in order in O.A. No. 606 of 2018, O.A. No. 256 of 2013 and O.A. No. 593/2017, against you at your risk and cost.**

(Er. Sunil Sharma)

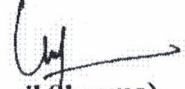
Regional Officer, HPSPCB, Kullu

dlc

Copy to:

1. The Member Secretary, HPSPCB, Shimla-09 for information and necessary action please.
2. The Deputy Commissioner, Kullu for information and necessary action please.
3. The Divisional Forest Officer, Parvati at Vill. Shamshi, Tehsil Bhuntar, Distt. Kullu (H.P.) for information and with a request to take strict action against the violator for dumping of solid waste in forest area please.
4. The Block Development Officer, Bhuntar Distt. Kullu (H.P.) for information and with a request to implement the swachh bharat mission guidelines in the aforesaid Gram Panchayats and also

- submit the action plan w.r.t. construction and operation of Material Recovery facility proposed at Kasol within 15 days to this office please.
5. The Pardhan Gram Panchayat, Kasol, Distt. Kullu (H.P.) for information and with directions to ensure the 100% collection of solid waste to make area littering free and clear the aforesaid hotspot along with SADA immediately and submit the action plan w.r.t. solid waste management facility.
  6. The Pardhan Gram Panchayat, Manikaran, Distt. Kullu (H.P.) for information and with directions to ensure the 100% collection solid waste to make area littering free and clear the littering/dumping hotspots of the area immediately and submit the action plan w.r.t. solid waste management facility.



(Er. Sunil Sharma)

Regional Officer, HPSPCB, Kullu

o/c





- 27 -  
32

**H.P. STATE POLLUTION CONTROL BOARD**  
Regional Office: HIMUDA, Shopping Complex, Hall No-5,  
Kullu, Pin-175101 (H.P.) Phone: 01902-223149  
Website: <http://hppcb.nic.in> e-mail: [pcbokullu1@gmail.com](mailto:pcbokullu1@gmail.com)



No.PCB/RO Kullu (1641)/MSWM/Vol-II/Kullu/2025- <sup>2329-31</sup> ~~2329-31~~

Dated: 21.6.2025

To

**The Town & Country Planner, Kullu-cum- Member Secretary,**  
Special Area Development Authority, Manikaran,  
At Kullu, Distt. Kullu (H.P.).

**Sub: Regarding unscientific, dumping of Solid Waste at Kasol.**

Sir,

This is in continuation to Show Cause Notice & proceeding issued vide letter no. PCB/RO Kullu (1641)/MSWM/Vol-II/Kullu/2025- 378-84 dated 28.05.2025 & Endst. No. PCB/RO Kullu (1641)/MSWM/Vol-II/Kullu/2025- 2154-61 dated 05.06.2025 respectively issued by this office to you.


In this context, it is informed that to check the compliance of directions issued through the proceeding as mentioned above, the re-inspection of the alleged spot in forest area along the road leading to Village Grahana was conducted on dated 18.06.2025 by the undersigned and during the course of the inspection, following observations were made:

1. The SADA, Manikaran has not completely lifted the waste from the alleged spot and traces of inert waste found lying at the site and some recyclable waste was found at site packed in garbage bags.
2. The waste was found dumped at the proposed Material Recovery Facility, Kasol and garbage bags were filled with solid waste lying at site.
3. The construction work of Material Recovery Facility, Kasol was found started and foundation pits for column has been excavated at proposed MRF site (photographs taken during the spot inspection are enclosed as Annexure-I).

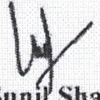
In view of the aforesaid non-compliances and in case of continuous violations/ non-compliances of the directions issued by the State Board, the Environmental Compensation as per the Hon'ble NGT orders in O.A. No. 593/2017 and others will be calculated from the date of violations observed to till the date of compliance.

Hence, in view of the above, you are hereby directed to take immediate action to comply with the directions issued by the State Board and scientifically process the remaining dumped solid waste and submit the detail of quantum of processed/ disposed solid waste within 07 days. In case of any further violations an Environmental Compensation shall be imposed as per the directions issued by the Hon'ble NGT in order in O.A. No. 606 of 2018, O.A. No. 256

of 2013, O.A. No. 593 of 2017 & MA no. 79/2023 of O.A. No. 758 of 2022 against you at your risk and cost.

  
(Er. Sunil Sharma)  
Regional Officer,  
HPSPCB, Kullu  
D/C  
C1

- Copy to:
1. The Member Secretary, HPSPCB, Shimla for kind information and necessary action, please.
  2. The Deputy Commissioner, Kullu for kind information and necessary action, please.

  
(Er. Sunil Sharma)  
Regional Officer,  
HPSPCB, Kullu  
D/C  
C1

SPECIAL AREA DEVELOPEMNT AUTHORITY  
MANIKARAN

NO. SADA Manikaran-T-4/2025- 114

Dated:- 16/06/2025

From:-

The Chairman,  
SADA Manikaran-cum- MLA,  
Kullu, Himachal Pradesh.

696 21-06-2025

✓ To

Regional Officer,  
Himachal Pradesh Pollution Control Board,  
District, Kullu, Himachal Pradesh.

**Subject: Show Cause Notice under the Water (Prevention and Control of Pollution) Act, 1974 for non-compliance of Solid Waste Management Rules, 2016, Plastic Waste Management Rules, 2016 and Environment (Protection) Act, 1986.**

**Reference:-Your office Letter No. PCB/RO Kullu/(1641)/ MSWM/Voi-II/Kullu/2025-378-84 dated 28.05.2025.**

Sir,

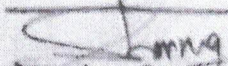
This is with reference to the letter quoted under reference on above cited subject in this regard it is submitted that the detail of action taken report of SADA in the above said matter is as below:

1. Earlier the site in reference was allocated on temporary basis to the contractor (M/s Lakshay Total Solutions) for collection and segregation of garbage on verbally basis by Forest Department with the consent of concerned Gram Panchayat, Kasol.
2. After the receiving of the complaints against the contractor for non disposal of garbage waste, show causes notices dated 22.05.2025, 23.05.2025 and 27.05.2025 (Copies enclosed) were issued to the contractor for non-segregation of garbage, non-compliance for lifting of garbage from Old Kasol Bridge to MRF site (SWM Plant) and to segregate the legacy waste and removal of the same and clearing the site. Further the penalties as per the conditions of the tender documents are being imposed for non-satisfactory performance on contractor.
3. Accordingly the garbage was segregated and thereafter the segregated waste (RFD) has been transported to Cement factory at Bagha, Teh. Arki, Distt Solan H.P.
4. The plastic item waste segregated from the legacy waste has been sent to the scarp vendors by the contractor. Thereafter the remaining legacy waste has been shifted to the proposed Solid Waste Management Plant, Kasol.
5. The **in principle approval for diversion of forest land measuring area 0.1982 hac. in favor of Block Development, officer Kullu** has been conveyed by the Deputy Inspector General of Forest (C), Ministry of Environment, Forest and Climate Change, New Delhi vide letter dated

- 22/11/2024 for proposed Solid Waste Management Site, Kasol. (C enclosed).
6. The temporary site has been now cleared and no waste has been kept in open space and the legacy waste transported to the proposed Solid Waste Management Plant, Kasol.
  7. The SADA Manikaran has already released Rs. 30.00 Lac in favor of Block Development Officer, Bhunter for construction of proposed Solid Waste Management Plant, Kasol vide letter No. **SADA-T-4/2025-18-21** dated 01.05.2025.
  8. Now the SADA has already stopped the Garbage collection work till the proposed Solid Waste Management Plant, Kasol is fully established.
  9. Further necessary steps for removal of legacy waste are being taken with the co-ordination of other departments and concerned Gram Panchayats.

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

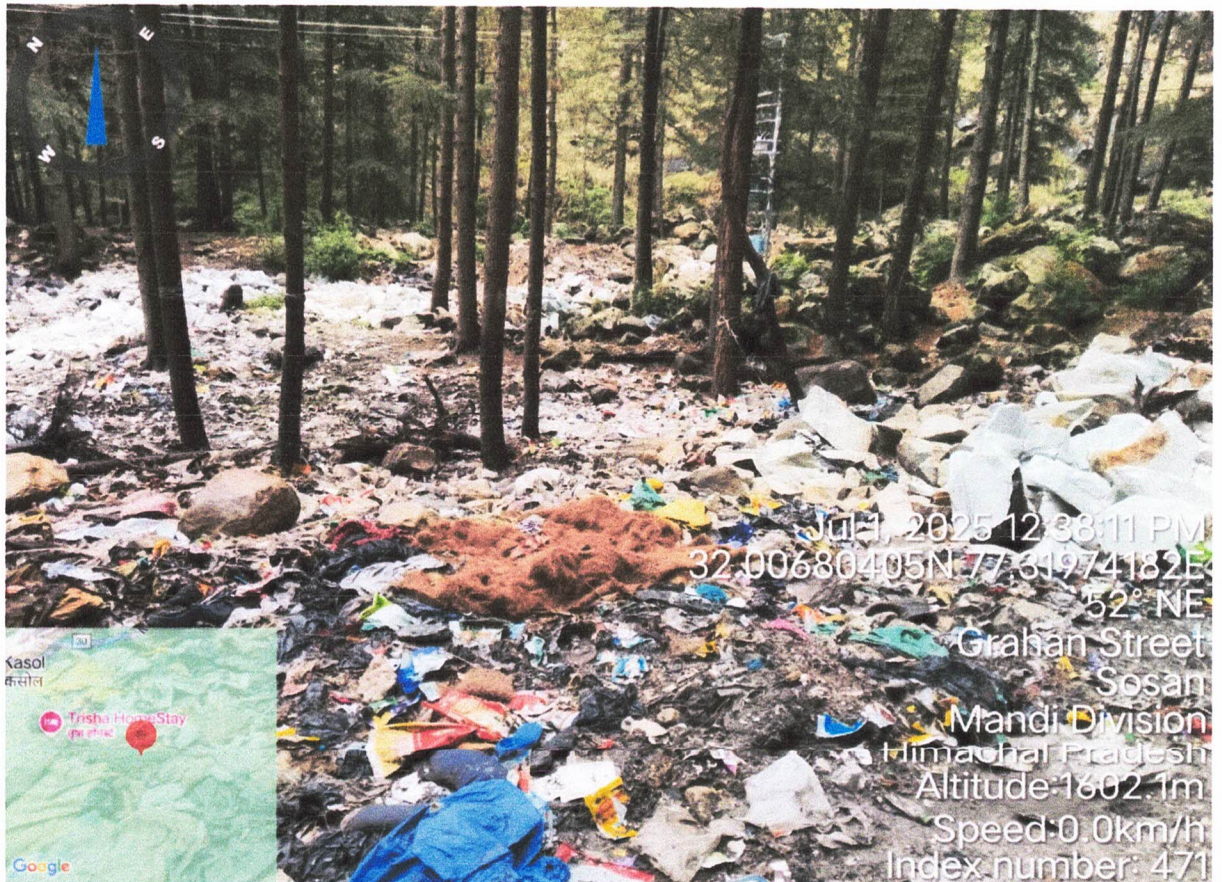
Yours Faithfully,

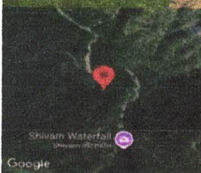
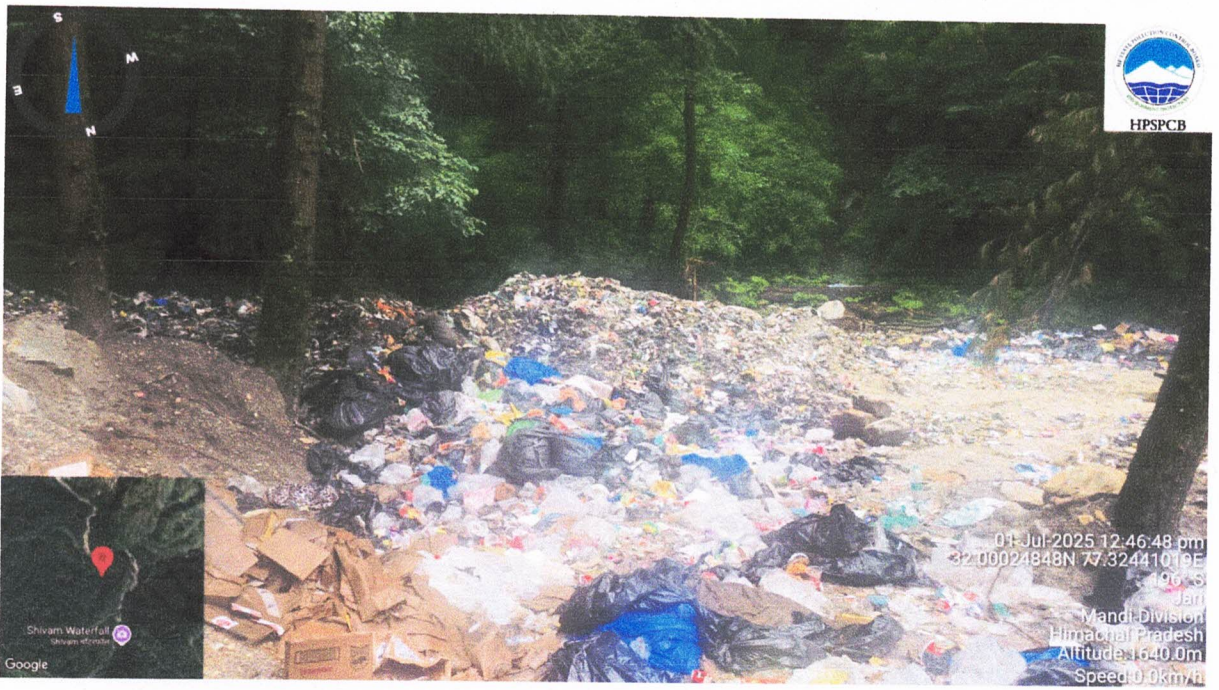
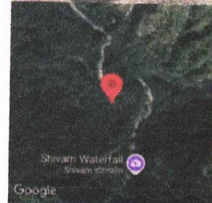


Member Secretary SADA Manikaran  
-cum- Town and Country Planner,  
Divisional Town Planning Office,  
Kullu, Himachal Pradesh.

**Encls: As Above**







**REGD.POST**

HSP PCB

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

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



No. HSP PCB/MSW/ GP, Kasol (Kullu) /2024 - 3156-62

Dated: 03/06

2025

**Environmental Compensation under the Water (Prevention & Control of Pollution) Act, 1974 and Hon'ble NGT Order O.A. No. 256 (THC) of 2013 titled as Abhishek Rai Vis State of H.P. & Ors reg**

To,

**The Secretary**

Gram Panchayat, Kasol,

Tehsil-Bhuntar, District - Kullu (H.P).

WHEREAS, as per the report dated 11.10.2024 regarding status of solid waste management is received from Regional Officer, HSP PCB, Kullu it has been reported routine inspection of the Gram Panchayat, Kasol was conducted on dated 03.10.2024 and during the course of the inspection, littering/ dumping of solid waste has been observed on the bank of river Parvati and Grahan Nallah.

WHEREAS, HSP PCB, has already issued numerous notices to Gram Panchayat Kasol vide letter dated 11.03.2024, 26.04.2024, 15.06.2024 and 30.12.2024 including recommendations/ directions for ensuring scientific disposal of solid waste, however no compliance has been observed.

WHEREAS, Regional Officer, HSP PCB, Kullu has informed that inspection of Gram Panchayat, Kasol area was carried out by the Regional Office, Kullu on 28.01.2025 & 30.01.2025. During the inspection, solid waste was found dumped/littered at various locations near to water body (river Parvati) i.e. Kasol Entrance, Barshaini bus stop at Manikaran, on the way to Manikaran in MDR-30 near to NHPC Colony and in Manikaran bus stand area (along the river Parvati), on the way to Grahan at Naagoud which indicates that the Gram Panchayat, Kasol is not complying with the provisions of the Solid Waste Rules, 2016 and is not complying with the directions issued by the State Board.

WHEREAS, Rule-7 of Plastic Waste Management Rules, 2016 lays down responsibility of Gram Panchayat as follows:-

"...(1) Every gram panchayat either on its own or by engaging an agency shall set up, operationalize and co-ordinate for waste management in the rural area under their control and for performing the associated functions, namely,-

(a) ensuring segregation, collection, storage, transportation, plastic waste and channelization of recyclable plastic waste fraction to recyclers having valid registration; ensuring that no damage is caused to the environment

during this process;

- (aa) ensuring that the provisions of these rules, as amended, are adhered to,  
 (b) creating awareness among all stakeholders about their responsibilities;  
 and  
 (c) ensuring that open burning of plastic waste does not take place..."

WHEREAS, Hon'ble High Court in CWP No. 2369/2018 vide order dated 06.04.2023 has directed all Local bodies not to dispose of garbage/ solid waste illegally along water bodies & ensure proper collection, segregation & disposal but the aforesaid acts of yours also tantamount to violation of said Court orders.

WHEREAS, Hon'ble NGT vide order dated 29.07.2013 in O.A No. 256 (THC) of 2013 titled as Abhishek Rai v/s State of H.P. & ors, has directed as follows:-

"...We also direct all the authorities concerned to keep a strict vigil to prevent throwing of municipal solid waste, untreated sewage, effluent or other material/construction material into the river Beas. Whoever is found to be throwing or dumping any such material, effluent etc. directly or indirectly into the river Beas or its tributaries or even at its banks, will have to pay a sum of Rs 1.00 lakh as compensation for causing pollution on the basis of the polluter pays principle...."

The above stated facts tantamount to violation similar to as mentioned in order dated 29.07.2013 in O.A. No. 256 (THC) of 2013 titled as Abhishek Rai v/s State of H.P. & Ors..."

Whereas, under section 33-A of the Water (Prevention & Control of Pollution) Act, 1974, the State Pollution Control Board may in exercise of its powers and performance of its functions under this Act, issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions.

**Therefore, in exercise of powers conferred under Section 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and on the basis of the principal laid down by Hon'ble NGT in O.A No. 256 (THC) of 2013 titled as Abhishek Rai Vis State of H.P. & Ors, Environment Compensation of ₹ 1, 00 000/- (One Lakh only) is hereby imposed on you for illegal dumping of solid waste near the water body on the basis of polluter pays principal.**

Therefore, you are hereby directed to deposit the aforesaid amount in the account of Member Secretary, HP State Pollution Control Board, **Bank of Baroda A/c No. 54140100001617 (IFSC Code BARB0NEWSIM)** under intimation to this office within a week's time.

Also, please note that in case the violation persists, further action under Section 15 of the Environment (protection) Act, 1986 read with Rule-7 of Plastic Waste Management Rules, 2016 shall be initiated against you.

Signed by

(Anil Joshi, IFS)

Member Secretary  
 HPSPCB, Shimla-9.

Date: 30-05-2025 17:40:13

Copy to:-

1. **The Chief Secretary** to GoHP for kind information please.
2. **The Secretary** (Rural Development, Panchayati Raj) to GoHP for kind information.
3. **The Director**, Rural Development & Panchayati Raj Block No 27, SDA Complex Kasumpti, Shimla-9 Himachal Pradesh (India) kind information and requested to direct the concerned official to ensure compliance.
4. **The Deputy Commissioner**, Kullu for kind information please.
5. **The Pradhan**, Gram Panchayat- Kasol, Tehsil-Bhuntar, District -Kullu (H.P). for information and further necessary action in view of the direction passed by Hon'ble High Court in CWP 2369 of 2018 titled Suleman and others vs. Union of India and others a/w connected matters vide order dated 23.03.2023 wherein it has been directed that *"all the Committee Members including the entire elected bodies especially President, Vice President shall be responsible for the speedy and effective implementation of the environmental laws and they shall be accountable individually as well as jointly"*
6. **The Regional Officer**, HPSPCB, Kullu for kind information and further necessary action please.

**(Anil Joshi, IFS)**  
**Member Secretary**  
**HPSPCB, Shimla-9**

REGD.POST



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



भारत कुरुक्षेत्र  
ONE EARTH - ONE FAMILY - ONE FUTURE

No. HPSPCB/MSW/ SADA, Manikaran (Kullu) /2025 -

3560-62

Dated: 12/08/2025

**Environmental Compensation for violation of provisions under Water (Prevention & Control of Pollution) Act, 1974 and Hon'ble NGT Order O.A. No. 256 (THC) of 2013 titled as Abhishek Rai vs State of H.P. & Ors. reg**

To,

**The Member Secretary SADA Manikaran -cum-T&C Planner,  
TCP Kullu, District-Kullu (H.P).**

WHEREAS, as per the report dated 31.05.2025 regarding status of solid waste management is received from Regional Officer, HPSPCB, Kullu it has been reported routine inspection of the Manikaran area was conducted on dated 24.05.2025 and during the course of the inspection, it was observed that solid waste was found littered/dumped along the river Parvati and forest area at various locations which indicate that there is no 100% collection of the solid waste. In addition to this huge dumping of mixed solid waste has been carried out by the contractor of SADA in the forest area along the road leading to the Village Grahan which cause foul smell in the vicinity and may deteriorate the water quality of Grahan Nallah

WHEREAS, under the provisions of Solid Waste Management Rules, 2016 you are required to manage and treat solid waste in a proper/ scientific manner but it has been observed that SADA Manikaran has not taken corrective steps for scientific management, handling and disposal of waste.

Hon'ble National Green Tribunal has passed the following order on 29-07-2013 in the matter of Abhishek Rai vs. State of HP & Ors."

*..... We also direct all the authorities concerned to keep a strict vigil to prevent throwing of municipal solid waste, untreated sewage, effluent or other material/construction material into river Beas. Who so ever is found to be throwing or dumping any such material, effluent etc. directly or indirectly into the river Bens or its tributaries or even at it banks, will have to pay a sum of Rs.1.00 lakh as compensation for causing pollution on the basis of the "Polluter pays principle"...."*

Whereas, under section 33-A of the Water (Prevention & Control of Pollution) Act, 1974, the State Pollution Control Board may in exercise of its powers and performance

of its functions under this Act, issue any directions in writing to any person, officer or authority, and such person, officer or authority shall be bound to comply with such directions.

Therefore, in exercise of powers conferred under Section 33-A of the Water (Prevention & Control of Pollution) Act, 1974 and on the basis of the principal laid down by Hon'ble NGT in O.A No. 256 (THC) of 2013 titled as Abhishek Rai Vis State of H.P. & Ors, Environment Compensation of ₹ 1, 00 000/- (One Lakh only) is hereby imposed on you for illegal dumping of solid waste near the water body on the basis of polluter pays principal.

Therefore, you are hereby directed to deposit the aforesaid amount in the account of Member Secretary, HP State Pollution Control Board, **Bank of Baroda A/c No. 54140100001617 (IFSC Code BARB0NEWSIM)** under intimation to this office within a week's time.

Signed by

Anil Joshi

Date: 10.06.2025 09:01:10

(Anil Joshi, IFS)

*ofc.*  
Member Secretary  
HPSPCB, Shimla-9.

**Copy to:-**

1. The Deputy Commissioner, Kullu for kind information please.
2. The Regional Officer, HPSPCB, Kullu for information and further necessary action.

(Anil Joshi, IFS)

Member Secretary  
HPSPCB, Shimla-9

REGD.POST



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



भारत 2023 INDIA  
वसुधैव कुटुम्बकम्  
ONE EARTH • ONE FAMILY • ONE FUTURE

No. HPSPCB/MSW/ SADA, Manikaran (Kullu) /2025 - 6822-24

Dated: 01/08/25

**Environmental Compensation for violation of provisions under Solid Waste Management Rules, 2016 as per order by Hon'ble NGT in O.A. No. 606/2018.**

To,

**The Member Secretary SADA Manikaran –cum-T&C Planner,  
TCP Kullu, District-Kullu (H.P).**

WHEREAS, as per the report dated 03.07.2025 inspection of the spot near the road leading to Garhan Village on dated 18.06.2025 and 01.07.2025 has been conducted and following observations were made: -

1. **SADA, Manikaran has not completely lifted the waste from the alleged spot and traces of inert waste found lying at site and some recyclable waste was found at site packed in garbage bags.**
2. **The waste was found dumped at the proposed Material Recovery Facility. Kasol and garbage bags filled with sound waste were lying at Site.**

WHEREAS, under the provisions of Solid Waste Management Rules, 2016 you are required to manage and treat solid waste in a proper/ scientific manner but it has been observed that SADA Manikaran has not taken corrective steps for scientific management, handling and disposal of waste.

WHEREAS, the State Board has issued correspondences to SADA Manikaran vide letters dated 28.05.2025, 12.06.2025 and 21.06.2025; however, compliance has not been ensured.

WHEREAS, as per the Solid Waste Management Rules, 2016, Schedule-II, A (a) "... To the extent possible, the waste storage area should be covered. If, such storage is done in an open area, it shall be provided with impermeable base with facility for collection of leachate and surface water run-off into lined drains leading to a leachate treatment and disposal facility..."

WHEREAS, under the provisions of Water (Prevention & Control of Pollution) Act, 1974 Sec. 24 (a) no person shall knowingly cause or permit any poisonous, noxious or polluting matter determined in accordance with such standards as may be laid down by the State Board to enter (whether directly or indirectly) into any [stream or well or sewer or on land];

WHEREAS, the above acts and omissions tantamount to violation of the provisions of the Environment (Protection) Act, 1986, Water (Prevention & Control of Pollution) Act, 1974, Solid Waste Management Rules, 2016 and the directions

issued by the State Board which is a punishable offence under the said Act/Rules. The said violation also attracts the penal provisions as directed by the Hon'ble NGT in its order dated 28.02.2020 in O.A. No. 606/2018 titled "Compliance of Municipal Solid Waste Management Rules, 2016 and other environmental issues" 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 for levy of Environmental Compensation on the basis of polluter pays principle on violating units.

WHEREAS, Hon'ble High Court in CWP No. 2369/2018 vide order dated 06.04.2023 has directed all Local bodies not to dispose of garbage/ solid waste illegally along water bodies & ensure proper collection, segregation & disposal but the aforesaid acts of yours also tantamount to violation of said Court orders.

Despite the repeated requests/correspondences and notices issued by the State Board, SADA Manikaran is not complying with the provisions of law and directions issued therein by the Board or the Hon'ble Court. Therefore, Environmental compensation amounting to **₹ 1,90,000 /- (Rupees One Lakh Ninety Thousand only)** is hereby imposed as per the orders of Hon'ble NGT in O.A. No. 593 of 2017 from the date of violation observed i.e., dated 25.05.2025 to 01.07.2025 for above mentioned violation.

Accordingly, you are hereby directed to take corrective measures and deposit Environmental Compensation of **₹ 1,90,000** the aforesaid amounts in the account of Member Secretary, HP State Pollution Control Board, **Bank of Baroda A/c No. 54140100001617 (IFSC Code BARB0NEWSIM)** under intimation to this office within a week's time failing which action under the provisions of Environment (Protection) Act, 1986 and Solid Waste Management Rule, 2016 shall be initiated at your own risk and cost. **Also note, if the violations persists the amount of Environmental compensation shall increase accordingly.**

Signed by

Anil Joshi

(Anil Joshi, IFS) Date: 01.08.2025 14:57:31

**Member Secretary  
HPSPCB, Shimla-9.**

**Copy to:-**

1. The Deputy Commissioner, Kullu for kind information please.
2. The Regional Officer, HPSPCB, Kullu for information and further necessary action.

**(Anil Joshi, IFS)  
Member Secretary  
HPSPCB, Shimla-9.**