

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL PRINCIPAL BENCH AT NEW DELHI
Original Application No. 565/2025**

IN THE MATTER OF:

Girish Chandel, President & Anr

.....Applicants

VERSUS

State of Himachal Pradesh & Ors.

.....Respondents

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Place: - Mandi

Dated:- 10-4-2026

Filed through Counsel for the Respondent No. 2

Anil Jaryal
Chamber No. 109, Block-03
Delhi High Court

A.

Respondent No. 2

Deputy Commissioner
Mandi Distt. Mandi (H.P.)

A T T E S T E D

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Charan Devi Advocate
Delhi High Court

**BEFORE THE HON'BLE NATIONAL GREEN
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IN THE MATTER OF:

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State of Himachal Pradesh & Ors.

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**RESPONSE/REPLY ON BEHALF OF
RESPONDENT NO. 2**



In compliance with the directions contained in the order dated 19.11.2025 passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi, in the above-captioned matter, the undersigned most respectfully submits the present response/reply for the kind consideration of this Hon'ble Tribunal.

1. That the present matter arises out of a letter petition submitted by Sh. Girish Chandel, President, RWA Riverdale Colony, Sauli Khad, Tehsil Sadar, District Mandi, alleging illegal dumping of muck and boulders into the River Beas during the execution of four-lane highway construction works near Sauli Khad.

ATTESTED

Gayatri Devi, Advocate
Oath & Affidavit Commissioner
Mandi (H.P.)

Ar
Deputy Commissioner
Mandi Distt. Mandi (H.P.)

It has been alleged that indiscriminate dumping was being carried out in violation of environmental norms and guidelines issued by the Ministry of Environment, Forest & Climate Change (MoEF&CC), as well as the directions/orders passed by the Hon'ble Tribunal concerning muck disposal in Himalayan road projects.

2. In its order dated November 19, 2025, the Hon'ble Tribunal issued several key directives to address the grievances raised in the matter. Primarily, the Tribunal mandated the State Government, the District Magistrate of Mandi, the Himachal Pradesh Pollution Control Board (HPPCB), and the National Highways Authority of India (NHAI) to file their respective responses. To ensure a thorough investigation, the Tribunal also ordered the constitution of a Joint Committee comprising representatives from the Integrated Regional Office of the MoEF&CC (Shimla), the Central Pollution Control Board (CPCB), the HPPCB, and the District Magistrate of Mandi. This committee has been tasked to conduct a site visit to verify the factual position, engaging all relevant stakeholders, and examining the specific complaints at hand. The Committee was required to submit



Deputy Commissioner
Mandi Distt. Mandi (H.P.)

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Gayatri Devi Advocate
Oath & Affidavit Commissioner
Mandi (H.P.)

comprehensive compliance report to the Hon'ble Tribunal for further review.

3. In compliance with the aforesaid order dated 19.11.2025 passed in OA No. 565/2025, Respondent No. 2 directed the SDO (C), Sadar, to remain present at the site on 08.12.2025 and, in coordination with the HPPCB, Mandi, to participate in the visit/inspection.
4. The Joint Committee conducted a site inspection on 08.12.2025 after due intimation to all concerned stakeholders, including the complainant and project authorities. The project under reference pertains to the four-laning work of the Bijni-Mandi section of NH-20 (New NH-154), being executed by M/s Gawar Construction Ltd. under the aegis of the National Highways Authority of India (NHAI). It was observed that Riverdale Colony is situated on the left bank of the River Beas, whereas the highway construction stretch lies on the right bank.
5. Based on the site inspection and verification of records, following findings have emerged. The site inspection revealed that while only one authorized muck dumping site exists on forest land within the project stretch significant lapses in environmental safeguards were observed. Although retention structures like gabion and crate walls were

Deputy Commissioner
Mandi Dist. Mandi (H.P.)

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Gayatri Devi Adyapana
Oath & Affidavit Commissioner
Mandi (H.P.)


proposed, substantial dumping occurred before these protections were finalized, leading to muck spillage toward the river bank. This issue is particularly critical along a 700-meter stretch of the highway alignment bordering the River Beas, where Reinforced Soil (RS) walls remain only partially completed. Furthermore, the committee identified two unauthorized dumping locations adjacent to the designated site that completely lack protection or reclamation measures, causing muck to flow into the river. Additionally, temporary dumping was noted in Ropru Nallah for bridge construction. The directions were issued by the Himachal Pradesh State Pollution Control Board, Mandi to M/s Gawar Mandi Highways Private Ltd. to remove the debris in a time-bound manner. In compliance, the project authorities have submitted their work plan to the Himachal Pradesh State Pollution Control Board, Mandi and have committed to remove the debris and restore the natural drainage course by June 30, 2026. (Annexure-A).

6. The Himachal Pradesh State Pollution Control Board conducted inspections and identified unscientific dumping at six locations. In response to the observed violations, formal enforcement



Deputy Commissioner
Mandi Distt. Mandi (H.P.)

ATTESTED


Gayatri Devi Advocate
Court & Affidavit Commissioner
Mandi (H.P.)

actions have been initiated, starting with the recommendation of Environmental Compensation totaling Rs.6.00 lakh against the contractor, calculated at a rate of Rs.1.00 lakh for each of the non-compliant sites.

| Sr.No | Location | No. of Sites |
|-------|--------------------------------------|--------------|
| 1. | Near Tunnel Portal-II at Vill. Ardha | 03 |
| 2. | Near Tunnel Portal-I at Vill. Bijni | 01 |
| 3. | Near Power house at Vill. Bijni | 01 |
| 4. | Near Blasting Site at Vill. Tandu | 01 |

To ensure future adherence to environmental standards, the project authorities have been directed to submit a time-bound action plan detailing specific remediation measures. The matter is currently under active review at the Head Office of the HPPCB for final determination and further regulatory oversight. It is further submitted that the penalty amounting to Rs. 6.00 lakh imposed on Ms. Gawar Mandi Highways Private Ltd. has been deposited in the account of the Member Secretary, H.P. State Pollution Control Board through RTGS on 11-03-2026 by concerned authority (**Annexure-B**).

ATTESTED
Gawar De. Advocate
C.A. & Advocate
Mandi H.P.J.

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Deputy Commissioner
Mandi Distt. Mandi (H.P.)

7. In its concluding findings, the Joint Committee has determined that the allegations regarding improper muck dumping are partially substantiated. Specifically, the committee confirmed that dumping at the designated site was conducted without the necessary protective measures, while also verifying the existence of unauthorized dumping at two additional locations. Furthermore, the committee noted that the temporary dumping in Ropru Nallah poses a significant risk of obstructing the natural water flow if the debris are not removed within the stipulated timeframe.
8. The District Administration, Mandi, in coordination with HPPCB and other stakeholder departments, is closely monitoring compliance. Periodic inspections are being conducted to ensure adherence to environmental safeguards and protection of the River Beas ecosystem, as well as the safety of nearby habitations.
9. The Joint Committee Report and response/reply, is respectfully submitted for the kind consideration of this Hon'ble Tribunal. The District Administration undertakes to abide by any further directions/orders that may be passed by this Hon'ble Tribunal in the matter.



Deputy Commissioner
Mandi Distt. Mandi (H.P.)

ATTESTED

Gayatri Devi
Qair & Affidavit Commissioner
Mandi

Place: *Mandi*

Dated: 10-4-2028

Ar

Respondent No. 2

Deputy Commissioner
Mandi Distt. Mandi (H.P.)

Deputy Commissioner
Mandi, District Mandi.

ATTESTED

Gayatri Devi Advocate
Oath & Affidavit Commissioner
Mandi (H.P.)

BEFORE THE HON'BLE NATIONAL GREEN
 TRIBUNAL PRINCIPAL BENCH AT NEW DELHI
 Original Application No. 565/2025

IN THE MATTER OF:

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VERSUS

State of Himachal Pradesh & Ors.

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AFFIDAVIT

I, Apoorv Devgan S/o Late Sh. Bharat Bhushan aged 38 years presently working as Deputy Commissioner, Mandi District Mandi do hereby solemnly affirm and declare on oath as under: -

That the accompanying response/reply to OA has been drafted and prepared under my instructions at my instance and I have read the contents thereof. That the contents of para 1 to 9 are on merits, true and correct to the best of my knowledge as derived from the official record. No part of it is false and nothing relevant has been concealed there of.

A-

Deponent.

Deputy Commissioner
 Mandi Distt. Mandi (H.P.)

ATTESTED

Gayatri Devi Advocate
 Dist. & Affidavit Commissioner
 Mandi (H.P.)

VERIFICATION: -

I, the above named deponent further affirm that the contents of this affidavit are true and correct to the best of my knowledge and no part of it is false and nothing has been concealed there of.

ATTESTED

Gayatri De. Advocate
Oath & Affidavit Commissioner
Mandi H.P.

Verified at Mandi on 10th April, 2026

Ar

Deponent.

Sno 6460/2026
at Mandi on 10/4/26
by Apojmangan
Himanshu
who was identified by Himanshu
Who is personally known to
Certified that contents of above Affidav.
are read over & explained to the deponent
who admitted them to be correct

Deputy Commissioner
Mandi Distt. Mandi (H.P.)

(Senior
Sudat
bemand
Hre)

Ar
Deponent

Oath Commission

I know personally the deponent
who has signed in my presence

Signature of Identifier

(Himanshu Senior Sudat Me office
Mandi)

CONSOLIDATED REMEDIAL MEASURES TO BE TAKEN WITH AN ACTION PLAN, BUDGETARY ALLOCATION AND IMPLEMENTING AGENCY IN COMPLIANCE OF HON'BLE NATIONAL GREEN TRIBUNAL NEW DELHI ORDER DATED 06.01.2025 IN ORIGINAL APPLICATION NO. 565/2025.

| S. No. | Environmental Issue | Remedial Measures Proposed | Time Frame | Present Status |
|--------|--|---|-----------------------------|--|
| 1 | Near Tunnel Portal-II at Ardha, PO Purani Mandi, Tehsil-Sadar, District-Mandi HP (03 Sites). | Construction of Crate Wall/Gabion protection wall at the bottom and intermediate Reinforced Soil Wall of approx. 700 mtr. length. Slope stabilization by providing Coir- mat Vegetative stabilization | 30 th June 2026 | The construction of Gabion wall at bottom of Approved dumping site is under process and 06 th layer of it constructed. 250 mtr RS wall completed and 450 mtr is yet to be constructed. Gabion wall at bottom of 02 no. designated site along with coir mat for protection of muck flow. |
| 2. | RD 183/500: Ropu Naale Bridge. | Muck was dumped for Temporarily levelled bed for creating levelled surface for Girder casting, which shall be removed after completion of girder launching by 31 st , March 2026 and the natural drainage course of the nallah shall be restored to its original profile, ensuring unobstructed flow and compliance with environmental and hydraulic requirements. | 31 st March 2026 | Temporary drainage has been constructed and 02 layers gabion wall have been provided. Rest work is under process. |
| 3 | Near Tunnel Portal-I at VPO Bini, PO Purani Mandi, Tehsil- Sadar, District-Mandi HP (01 Site). | Construction of Crate Wall/Gabion protection wall/RS wall with proper foundation and drainage provisions Slope stabilization by providing Coir- mat Vegetative stabilization | 30 th June 2026 | Gabion wall work is under process, approx. 24 layers will be constructed and 08 no. layers have already been constructed. Rest work is under process |

Regd. Office: DSS-378, Sector 16-17, Meer-125005 (Hararyana) Ph: (01662)246117, 2569361, Fax (01662)246885

For Gower Mandi Highways Pvt. Ltd.

Authorized Signatory

| | | | | |
|---|---|--|----------------------------|--|
| 4 | Near powerhouse at VPO Bini, PO Purani Mandi, Tehsil-Sadar, District- Mandi HP (01 Site). | Construction of Crate Wall/Gabion protection wall/RS wall with proper foundation and drainage provisions Slope stabilization by providing Coir- mat Vegetative stabilization | 30 th June 2026 | Muck dumping completed. Gabion wall work completed; 04 layers of gabion wall provided. Slope stabilization by providing Coir-mat yet to be started. |
| 5 | Near Bleeding site at VPO Tandu, Tehsil-Sadar, District- Mandi HP (01 Site). | Construction of Crate Wall/Gabion protection wall/RS wall with proper foundation and drainage provisions Slope stabilization by providing Coir- mat Vegetative stabilization | 30 th June 2026 | Muck dumping completely stopped. Gabion wall work completed; 02 layers of gabion wall provided. Slope stabilization by providing Coir-mat the work has been started. |

For Gower Mandi Highways Pvt. Ltd.

Authorized Signatory



GAWARMANDI
Highway Pvt.Ltd.

CIN: U42101HR2023PTC11654

GAWARMANDIHIGHWAYSPRIVATELIMITED

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Ref.No-Gawar/IE/Bijni-Mandi/Tunnel/PKG-5B/2025-26/586

Date:19.03.2026

To
Regional Officer
HP State Pollution Control Board
Mandi, Himachal Pradesh

Subject: Construction of 4-Laning with Paved shoulder of Bijni to Mandi Section from existing Km 202.815 to Km 208.000 of NH-20 (New NH-154) (Design Length 5.357 Km) including construction of Twin Tube Tunnel for a length of 3.500 Km of Pathankot-Mandi under NH (0) in Himachal Pradesh on Hybrid Annuity Mode basis (Package-VB).
Regarding Deposition of Environment Compensation.

Ref.- (i) LOA letter no. NHAI/Pathankot-Mandi/Pkg-VB/HAM/HP/2022 Dated 16.10.2023
(ii) Concession Agreement Dated 19.11.2023
(iii) Appointment Date 18.03.2025
(iv) Your No. PCB/RO/MND/ M/s Gawar Const. Pvt. Ltd.(1350)/3329-30 Dated-10/03/2026.

Respected Sir,

In compliance to your letter referred above we hereby deposit Rs. 6,00,000/- (Rupees Six Lac only) in the account number of The Member Secretary, H.P. State Pollution Control Board, Bank of Baroda A/c No. 54140100001617 (IFSC Code BARBONWSIM) vide HDFCR52026031180326016 dated 11-03-2026. NETBANK MUMBAI. Kindly issue the receipt for record.

Thank you for your time and consideration.

Yours faithfully

For Gawar Mandi Highways Private limited.

Authorized Signatory

Regd.Office: DSS-378, Sector16-17, Hisar-
125005(Haryana)Ph:(01662)246117,250361, Fax (01662)248885



IN THE COURT OF NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI

Suit/Appeal No. OA No. 565/2025 JURISDICTION OF 201

In re:-

Girish Chandel President & Ors. Plaintiff(s) or Petitioner(s)
Appellant(s) Complainant(s)

VERSUS

State of HP & Ors. Defendant (s)/ Respondent(s) / Accused Know all to whom
these Present shall come that I/we Apoorv Devgan aged 38yrs. presently working as Deputy Commissioner
Distt.Mandi, HP.

The above named Respondent No. 2

do hereby appoint
Anil Jaryal, Adv. D/3587/16
Ch. No. 109 Block 3 Delhi High Court. Mob - 9871277207
(herein after called the advocate/s) to be my / our Advocate in the above – noted case authorize him:-

To act, appear and plead in the above-noted case in this court or in any other court in which the same
may be tried or heard and also in the appellate court including High Court subject to payment of fees separately
for each court by me/us.

To sign file, verify and present pleadings, appeals cross-objection or petitions for executions review,
revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary
or proper for the prosecution of the said case in all its stages subjects to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences of disputes
that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all
other acts and things which may be necessary to be done for the progress and in the course of the
prosecution on the said case.

To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and
authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the
power of attorney on our behalf.

And I/we undersigned to hereby agree to ratify and confirm all acts done by the Advocate or
his substitute in the matter as my/our own acts, as if done by me/us to all intents and purpose.

And I/we undertake that I/We or my/our duly authorized agent would appear in court on all
hearings and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate or his substitute responsible for the
result of the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he
shall receive and retain for himself.

And I/we undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us
to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case
until the same is paid up. The fee settle is only for the above case and above Court. I/We hereby agree that once
the fee is paid, I /We will not be entitled for the refund of the same in any case whatsoever and if the case
prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have
been understood by me/us on this 11th Day of April 2026 201 Accepted subject to the terms of
the fees.

Advocate
[Signature]

Anil Jaryal, D/3587/16

Client

Client

I Identify the Signature/Thumb Impression of Below Mentioned Person,

Signed in My Presence. The Client.

[Signature]

Deputy Commissioner
Mandi Distt. Mandi (H.P.)