



Registered

HIMACHAL PRADESH STATE POLLUTION CONTROL BOARD

Regional Office Parwanoo SCF 6-8, Sector 4 Parwanoo, Distt: Solan (HP)

Telefax- 01792-234081 Website: <http://hppcb.nic.in/>

No. HPSPCB/RO /PWN/ CB Subathu/2018-

1007-1010

Dated

28-8-2024

To

The Chief Executive Officer,
Cantonment Board, Subathu
Tehsil - Solan, Distt. Solan (H.P)

Subject: Show Cause Notice under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981-Non-compliance to the provisions of Solid Waste Management Rules, 2016.

Whereas the inspection of illegal solid waste site located near Gugga Maddi, Subathu (near Ram Bagh cremation ground) was conducted by the Officers of the State Board on 27.08.2024 in order to ascertain the status of compliance w.r.t the Solid Waste (Management) Rules, 2016 and directions passed from the state Board from time to time. During inspection, Sh. Rovid Kumar, supervisor was also present. It has been observed that huge quantum of solid legacy waste is dumped at aforesaid site. The site is also not covered and leachate in rainy days may contaminate nearby surface water quality and ground water sources. The legacy waste is not being processed and disposed of scientifically. Stray cattle, fly menace and pungent odor was prevailing at this site clearly establishing that no measures have been taken to stop such menace. The photographs are enclosed herewith.

And Whereas a CWP No 2369/2018 titled as Suleman V/s Union of India is pending in the Hon'ble High Court of H.P. w.r.t solid waste management in the state and the Hon'ble High Court has issued orders to not to dispose of garbage/solid waste illegally in/along water bodies & ensure proper collection, segregation & disposal of the waste.

And whereas the facts stated above tantamount to clear violations of the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, The Environment (Protection) Act, 1981, Solid Waste (Management) Rules, 2016 and the directions of Hon'ble High Court in CWP No. 269/2018 constituting a cognizable offence.

Whereas this office has been issuing Show Cause notices to you from time-to-time w.r.t. non-compliance to the provisions of SWM Rules 2016 but you have failed to take effective steps at the site till date.

Whereas ample opportunity has been provided to you to take corrective steps and operate the facility as per the provision of SWM Rules but you have failed to take adequate and requisite steps to make compliance to the provisions of the various Environmental Acts & Rules till date as a result of which above violations continue at site till date.

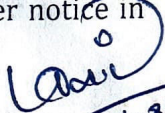
Now, therefore in accordance with the provisions of aforementioned Acts, it is proposed to initiate penal action against you in accordance with the provisions of-

- 1) Section 41, 43 & 44 of the Water (Prevention and Control of Pollution) Act, 1974 attracting with fine(s) up to Rupees Ten Thousand and imprisonment up to seven years or both and/or

- 2) Section 15, 16 & 19 of the Environment (Protection) Act 1986 attracting imprisonment for a term which may extend to five years or with fine(s) up to One Lakh Rupees or with both, and in case the failure or contravention continues, with additional fine which may extend to five thousand rupees for every day during which such failure or contravention continues after the conviction for the first such failure or contravention and/or
- 3) Imposition of Environmental Compensation as per the orders of Hon'ble NGT in OA No. 593/2017 for discharging untreated leachate into River Beas and/or
- 4) Imposition of Environmental Compensation as per the orders of Hon'ble NGT in OA No. 606/2018 for violation of the provisions of Solid Waste (Management) Rules 2016 and/or
- 5) Prosecution in the court of law under Section 197 of the Cr. PC under the provisions of above Acts.

In view of above, it is hereby directed to remove the above said non compliances / violations without any loss of time in the interest of protection and preservation of the environment. You are also directed to immediately clear/restore the aforesaid site also directed to comply Solid Waste Management Rules, 2016. You are also directed to show cause within 15 days as to why legal and penal action including imposition of Environmental Compensation and/or launching of prosecution proceedings amongst others as mentioned above should not be initiated against you for established and repeated non- compliances & violations. Please note action as proposed above after the expiry of the notice period shall be initiated accordingly without any further notice in the matter.

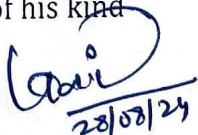
Encl: Photographs


28/08/24
(Anil Kumar)
Regional Officer
HPSPCB Parwanoo

Ends. No. HPSPCB/(F- 15 Vol-II)/RO PWN/MC Solan/2018-

Dated :

1. The Member Secretary, HPSPCB, Shimla for the favor of his kind information and further necessary action, please.
2. The Deputy Commissioner, Solan, Distt. Solan, HP for the favor of kind information and further necessary action, please.
3. The Additional Deputy Commissioner, Solan, Distt: Solan HP, for the favor of his kind information and further necessary action, please.


28/08/24
(Anil Kumar)
Regional Officer
HPSPCB Parwanoo

Photographs

