

हिमाचल प्रदेश सरकार

BEFORE THE ADJUDICATING OFFICER APPOINTED
UNDER SECTION 15-C OF THE ENVIRONMENT
(PROTECTION) ACT, 1986 AND SECTION 45-B OF THE
WATER (PREVENTION AND CONTROL OF POLLUTION)
ACT, 1974

Complaint against M/s Dilip Buildcon Ltd. Village Mandi
Manva, Post Office, Raghunathpura, Tehsil Sadar, District
Bilaspur, H.P for Contravention of the Environment
(Protection) Act, 1986 and Water (Prevention and Control of
Pollution) Act, 1974.

Dated: 26-09-2025.

Case called at 3.30 PM

Present: Shri Santosh Kumar Dy. Manager RVNL, Shri
Anirudh Sharma, Advocate, Shri P.S Kumar, Sr GM, Shri
Vishal Srivastav, Sr. Executive representative of M/s Dilip
Buildcon Ltd.

Representatives of HPPCB S/Shri Sandeep Kumar, Law
Officer, Shri Pawan Sharma Regional Officer, Bilaspur and
Shri Tarun Thakur, Asstt. Law Officer.

Order

Heard. In total, five notices were issued by HPSPCB to M/s
Dilip Buildcon Ltd, but all of them were issued under the Water
(Prevention and Control of Pollution) Act, 1974 (in short "Water Act,
1974"). However, the complaint has been filed under both the Water Act,
1974 and the Environment (Protection) Act, 1986. The HPSPCB may
explain why the complaint has been filed under both these Acts, whereas
the notices and the cause of action relate to the Water Act, 1974.

The latest amendment in the Water Act i.e. the Water
(Prevention and Control of Pollution) Amendment Act, 2024 which has
authorised the Adjudicating Officer to levy penalty, has come into effect on
15th February, 2024. The HPSPCB may explain as to whether the notices
issued prior to this date can also be considered before the Adjudicating
Officer. It may also explain on the issue in reference to Environmental
Compensation already imposed and prosecution launched, if any.

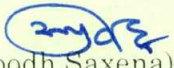
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Till the time, clarification is received on the above two points, the Adjudicating Officer is only looking at the inspections and violations after coming into force of the Water (Prevention and Control of Pollution) Amendment Act, 2024. A total 09 numbers of photographs dated 11.06.2024 as supplied by the HPSPCB pertain to the period of violation after coming into force of the aforesaid Amendment Act. The HPSPCB has stated that out of these 9, 2 photographs pertain to the Cofferdam and remaining 07 photographs relate to the violation/non-compliance at four sites i.e. (i) approach road to T-15 P-1 (Photograph no. 21), (ii) near T-16 P-1 (Photograph no. 22), (iii) muck dumped without protection measures at dumping site D-12 (Photograph no. 23, 24, 25), and (iv) approach road to T-14 P-2 (Photograph no. 26 & 28).

The respondents are given an opportunity to submit their objections, if any, to these photographs pertaining to the aforesaid four sites.

Under the amended Water Act, there is also provision for additional penalty for continuing contravention. The HPSPCB to submit its contention regarding the additional penalty for continued contravention/non-compliance before the next date of hearing.

List on 18-10-2025


(Prabodh Saxena)
(Prabodh Saxena)
Chief Secretary to the
Govt. of Himachal Pradesh