

IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA

CWPIL No. 17 of 2016

Date of decision: 07.09.2016.

Court on its own motion

....Petitioner

Versus

State of HP & others

...Respondents

Coram:

The Hon'ble Mr. Justice Mansoor Ahmad Mir, Chief Justice.

The Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?¹ Yes.

Present: Mr. B.C. Negi & Mr. Sanjeev Bhushan, Senior Advocates, as Amicus Curiae, with Ms. Abhilasha Kaundal, Advocate.

Mr. Anup Rattan, Mr. Romesh Verma and Mr. Varun Chandel, Additional Advocate Generals, for the respondents-State.

Mr. Manish Sharma, Advocate, for the Pollution Control Board.

Mansoor Ahmad Mir, Chief Justice (Oral)

Learned Amicus Curiae seeks and is granted two weeks' time to file suggestions.

2. Mr. Anup Rattan, learned Additional Advocate General stated at the Bar that status reports stand filed in the Registry. The Registry to trace and place the same on record.

3. Learned Amicus Curiae to file response to the status reports by or before the next date of hearing.

¹ Whether the reporters of Local Papers may be allowed to see the judgment?

4. It appears that the respondents have not taken action against the persons, who are indulged in illegal mining activities, as required under law.

5. In the given circumstances, we request the learned Amicus Curiae and the learned Advocate General to suggest a mechanism to curb such activities.

6. Learned Amicus Curiae stated at the Bar that such activities are going on in the entire State and prayed that Secretary (Industries), Director (Industries), State Geologist, H.P. Pollution Control Board through its Member Secretary, all the Deputy Commissioners and the Superintendents of Police of all the Districts, be arrayed as party respondents in this petition. Accordingly, Secretary (Industries), Director (Industries), State Geologist, H.P. Pollution Control Board through its Member Secretary, all the Deputy Commissioners and the Superintendents of Police of all the Districts are ordered to be arrayed as party respondents in the petition. Registry to make necessary entries in the cause title.

7. Issue notice to the newly added respondents. Mr. Anup Rattan, learned Additional Advocate General and Mr.

Manish Sharma, Advocate, waive notice on behalf of the respective respondents.

8. Respondents to file fresh status reports by or before the next date of hearing.

9. Secretary (Home) to the Government of Himachal Pradesh and Director (Industries) to remain present before this Court on the next date of hearing.

List on **21.09.2016.**

(Mansoor Ahmad Mir)
Chief Justice.

September 7, 2016.
(hemlata)

(Sandeep Sharma)
Judge.