

Court on its own motion vs. State of H.P and others alongwith connected matters

CWPIL No. 17 of 2016 a/w CWPIL Nos.12 & 47 of 2021 and CWPILNo. 25 of 2022

Item No. D-8

CWPIL No. 17 of 2016

03.06.2025 Present: Court on its own motion.

Mr. Sidharth Jalta, Deputy Advocate General, for the respondents-State.

None for respondent No.9.

CWPIL No.12 of 2021

None for the petitioner

Mr.Sidharth Jalta, Deputy Advocate General, for the respondents State.

CWPIL No. 47 of 2021

Court on its own motion.

Mr. Sidharth Jalta, Deputy Advocate General, for the respondents-State.

CWPIL No. 25 of 2022

None for the petitioners.

Mr. Sidharth Jalta, Deputy Advocate General, for the respondents-State.

Mr. Aman Parth Sharma, Advocate, for respondent No.9.

The affidavit filed on behalf of respondent No.6 by respondent No.8 in CWPIL No. 17 of 2016, would go on to show that the Industries Department is alleged to have taken various steps to curve the illegal mining activities, which were being carried out in the Neugal Khad

falling in Palampur area of District Kangra, H.P. It is mentioned that there are seven number of areas, which were earlier prone to illegal mining activities and which have been identified and these areas were put to auction for grant of mineral concessions. Three number of auctioned sites have come into operation and rest shall come into operation after obtaining the environment clearances by the respective Letter of Intent holders. Various illegal approach roads leading to the riverbed of Neugal Khad have been plugged/closed and inspected by the field officials i.e. Mining Inspectors etc. and they are stated to be still blocked. The illegal mining activities is stated to have been reduced to a larger extent and anyone indulging in such activity, action is to be taken by the duty holders as per the provisions contained in the Himachal Pradesh Minor Mineral (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015.

2. The said affidavit on one hand admits that there is illegal mining going on, but does not on the other hand, mention about the proceedings launched against the violators as such in the form of FIRs/complaints filed and how many vehicles as such were impounded in pursuance of the said complaints.

3. We are not satisfied as such with the bald affidavit, which has now been furnished.
4. Let a better affidavit be filed by the next date.
5. We also direct the Secretary, District Legal Services Authority, Kangra to inspect the area by surprise inspection and give an independent report.
6. Needless to say that at the time of inspection, respondents No.3 to 5, 26 and local office of respondent No.8 shall provide all assistance to the said Officer.
7. List on **14.07.2025**.

(G.S. Sandhawalia)
Chief Justice

3rd June, 2025
(priti)

(Ranjan Sharma)
Judge