

Court on its own motion vs. State of H.P. and others a/w connected matters.

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

Item No.D-13

19.08.2025 Present:

CWPIL No.17 of 2016

Court on its own motion

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

None for respondent No.9.

CWPIL No.12 of 2021

None for the petitioner.

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

CWPIL No.47 of 2021

Court on its own motion

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

CWPIL No.25 of 2022

Mr. Piyush Chandel, Advocate, for Mr. Ashok K. Verma, Advocate, for the petitioners.

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

Mr. Mukul Sharma, Advocate, for Mr. Virbahadur Verma, Advocate, for respondent No.5.

Mr. H.M. Thakur, Advocate, for Mr. Aman Parth Sharma, Advocate, for respondent No.9.

Perusal of the report of the Secretary, District Legal Services Authority, Kangra at Dharamshala, dated 02.07.2025, would go on to show that no permanent measures have been taken to block the approach to the river side to prevent illegal mining as such for the Neugal River. Certain allegations have also been found substantiated against the Mining Officer,

Rajeev Kalia, who is stated to have been posted at Dharamshala for many years and the Mining Guard, Santosh as well. We have also gone through the photographs appended during the visit of the officer, which substantiate her report.

2. The affidavit in compliance submitted by the Geologist, Department of Industries would only go on to show that there is mention of only five challans from the Financial Year 2024-25 and up to June 2025 and only one FIR has been registered on 09.04.2025, which is stated to be under investigation.

3. Similarly, the affidavit of the Deputy Commissioner, Bilaspur-respondent No.13, would go on to show that 276 cases of illegal mining/transportation were detected, out of which 224 have been compounded, realizing an amount of Rs.14,15,300/- and 52 cases are pending for adjudication in the respective courts and 13 mining leases have been granted in the district. However, there is neither any such affidavit filed by Deputy Commissioner, Kangra, regarding the action taken, nor any proactive action has been done by the police.

4. Accordingly, let the said officer file the said affidavit. Report be also called for, regarding as for how long the two officials i.e. Rajeev Kalia and Santosh have been posted in the said area, from the concerned authorities.

5. To come up on **24.09.2025**.

(G.S. Sandhawalia)
Chief Justice

(Ranjan Sharma)
Judge

August 19, 2025

(ankit)