

ITEM NO.15

COURT NO.4

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

S U O M O T O C O N T E M P T (C R L .) N o . 2 / 2 0 1 8

I N R E T H E I N D I A N E X P R E S S A N D T H E T R I B U N E D A T E D 2 N D M A Y 2 0 1 8
R E G A R D I N G K A S A U L I I N C I D E N T

Date : 09-05-2018 This petition was called on for hearing today.

CORAM :

H O N ' B L E M R . J U S T I C E M A D A N B . L O K U R
H O N ' B L E M R . J U S T I C E D E E P A K G U P T A

M r . P . S . P a t w a l i a , S r . A d v . (A . C .)

For Petitioner(s)

For Respondent(s) M r . A s h o k S h a r m a , A d v . G e n .
 M r . A s l a m , A d v .
 M r . A b h i m a n y u J h a m b a , A d v .
 M s . B i h u S h a r m a , A d v .
 M r . A b h i n a v M u k e r j i , A d v .
 M r . A j a y M a r w a h , A d v .

M r . A m a n P r e e t S i n g h R a h i , A d v .
M r . A . V e n a y a g a m B a l a n , A d v .

U P O N h e a r i n g t h e c o u n s e l t h e C o u r t m a d e t h e f o l l o w i n g
O R D E R

Learned Advocate General for the State of Himachal Pradesh has filed a status report in Court today pursuant to our order dated 3rd May, 2018. A copy of the status report has been handed over to learned *amicus curiae*.

We have gone through the status report and we would require the State of Himachal Pradesh to file another status report indicating the response to the following

issues:

1. The names and designation of the officers who were posted at the time when unauthorized construction was being carried out and whether any steps have been taken to hold these officers responsible and accountable for the unauthorized construction.
2. Guidelines, if any, that have been framed by the State of Himachal Pradesh to ensure that unauthorized constructions do not take place at the scale as happened in Kasauli. If guidelines have not been framed, they should be framed expeditiously.
3. Specific steps that are being taken by the State of Himachal Pradesh so that there is no unauthorized construction in other parts of the State and how the problem is proposed to be tackled by the State.
4. What does the State of Himachal Pradesh propose to do with the debris which will remain after the demolition of the unauthorized constructions. The presence of debris can create an environmental hazard.

The status report be filed within a period of two months.

List the matter on 8th August, 2018.

We have been informed by learned *amicus curiae* as well as by learned Advocate General that the High Court of Himachal Pradesh is seized of the matter relating to unauthorized construction in different parts of the

State.

We make it clear that there is no stay of the proceedings and the High Court may continue with the proceedings regardless of the pendency of the proceedings in this Court.

**(SANJAY KUMAR-I)
AR-CUM-PS**

**(KAILASH CHANDER)
COURT MASTER**