

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 504/2019  
(I.A. No. 359/2019)

(With report dated 02.09.2019)

Janesh Mahajan

Applicant(s)

Versus

State of Himachal Pradesh & Ors.

Respondent(s)

Date of hearing: 16.10.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant (s): Tariq Adeeb, Advocate

For Respondent(s): Mr. Adarsh Shrin, Advocate for R-4&5

**ORDER**

A factual and action taken report was called from the Himachal Pradesh State PCB, SDM, Dalhousie, DFO, Dalhousie and Dalhousie Municipal Corporation with reference to the allegation that Sunita Gupta and Amit Gupta were raising illegal construction in Cantonment Area of Chamba District, Himachal Pradesh.

The report furnished by the Himachal Pradesh State PCB is to the effect that consent of the State PCB as per the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981 has not been taken and that the constructions may result in uprooting of trees.

In view of the above, we direct that the State PCB to ensure that the hotel is not established or operated without the requisite consents and other safety measures are taken so as to protect the trees in question.

A copy of the order be sent to the State PCB by email for compliance.

The application is disposed of.

Adarsh Kumar Goel, CP

S.P Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

October 16, 2019  
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