



HIMACHAL PRADESH STATE ELECTRICITY BOARD LIMITED

(A State Govt. undertaking)

Registered office: Vidyat, Bhawan, HPSEBL, Shimla-4(H.P)

Number (CIN): U40109HP2009SGC0312SS

GST No. : HPSEBL 02 AACCH4894EHZB

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No. HPSEBL(Sectt.)LS/Gen. Vol. No. /2025 / - 3412-3532

Dated: 11-2-25

To

1. The Managing Director, Beas Valley Power Corporation Ltd. Jogindernagar, HP.
2. All the Chief Engineer(s) in HPSEBL.
3. All the Superintending Engineer(s) in HPSEBL.
4. All the Dy. Secretaries/ Under Secretaries in the Board Secretariat.

Sub: Writ Petition(s) (Civil)No. 295/2022-In ref: Directions in the matter of Demolition of Structures.

Sir,

In connection with the above, enclosed please find herewith a copy of letter bearing No. TCP-C(17)-3/2022 dated 24-01-2025, received from the Dy. Secretary (TCP) to the Govt. of, on the subject cited above.

You are requested to ensure strict compliance with the orders/judgment passed by the Hon'ble Court and follow the instructions contained in the letter dated 24-01-2025 in its letter and spirit.

"This may be given top priority being court matter and failure to adhere to these instructions shall be seen very seriously."

Encls:- As above.

Yours faithfully,

**Executive Director (Pers.),
HPSEBL, Shimla-4.**

Copy of above is forwarded to the following for information and necessary action please.

1. The Special P.S./ Sr. P.S./ P.S. / to the MD/ Director(s)/ Executive Director(Pers.) , HPSEBL, Shimla-4
- ✓ 2. The Superintending Engineer (IT), HPSEBL, Shimla-4 for uploading the same in the website of HPSEBL.
3. The Dy. Secy.(TCP) to the Govt. of HP w.r.t. his letter referred to above for information please.

Encls:- Nil.

**Executive Director (Pers.),
HPSEBL, Shimla-4.**

Most Urgent/
Hon'ble Supreme Court Matter

N6. TCP-C(17)-3/2022
Government of Himachal Pradesh
Department of Town & Country Planning

From

The Principal Secretary (TCP) to the
Government of Himachal Pradesh

To

1. All Administrative Secretaries to the
Government of Himachal Pradesh
2. All Head of Departments
In Himachal Pradesh
3. All Deputy Commissioners
in Himachal Pradesh
4. All Superintendent of Police
In Himachal Pradesh
5. The Commissioner,
Municipal Corporation, Shimla/Dharamshala/
Solun, Palampur and Mandi (H.P)

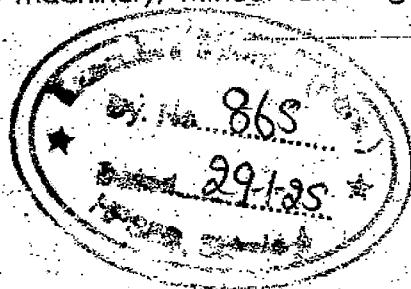
Dated Shimla-171002, the 24th January, 2025

Subject **Writ Petition(s)(Civil) No. 295/2022-In ref: Directions in the**
matter of Demolition of Structures.

Sir,

I am directed to invite your attention to the judgement passed by the Hon'ble Supreme Court of India on 13th November, 2024 in case Writ Petitionn(s) (Civil) No. 295/ 2022- In ref: Directions in the matter of Demolition of Structures. The directions and observations outlined in this judgement are binding and require immediate attention and compliance by all concerned authorities.

2. Hon'ble Supreme Court has emphasized that a house is an embodiment of the collective hopes of a family or individuals stability and security. It is a dream of every persons, every family to have a shelter above their heads. The Supreme Court of India in the recent time has noticed that a state machinery, without following the due process of law, demolished the



MD
ED(P)
28/1/25

4790
28/1/25

30.01.2025

Supd.
LSD No. 2278
29-1-25

residential and commercial properties of a person, on the ground of being involved as an accused in the criminal offences, which acts contrary to the principles of 'rule of law'. If the executive acts as a judge and inflicts penalty of demolition on a citizen on the ground the person is accused, it also violates the principle of 'separation of powers'.

3. The accused or convicts, have certain rights and safeguards in the form of constitutional provision and criminal law. The State and its officials cannot take arbitrary and excessive measures against the accused or for that matter even against the convicts without following the due process as sanctioned by law. Even after orders of demolition are passed, the affected party needs to be given some time so as to challenge the order of demolition before an appropriate forum. Even in cases of persons who do not wish to contest the demolition order, sufficient time needs to be given to them to vacate and arrange their affairs. However, these directions will not be applicable if there is an unauthorized structure in any public place such as road, street, footpath, abutting railway line or any river body or water bodies and also to cases where there is an order for demolition made by a Court of Law.

4. Therefore in view of the express directions passed by the Hon'ble Court, all concerned departments/ District Magistrates and local authorities are requested/ instructed to circulate this information among subordinate offices, departments, and other relevant entities under their jurisdiction to ensure thorough implementation of the directives.

5. Copy of the orders may be perused by visiting Supreme Court of India website link: (https://api.sci.gov.in/supremecourt/2022/12239/12239_2022_2_1501_57147_Judgement_13-Nov-2024.pdf).

Yours faithfully,


(Niraj Kumar)

Deputy Secretary (TCP) to the
Government of Himachal Pradesh
☎- 0177-2626416