
(2025) 02 JH CK 1229
In the Jharkhand High Court
Case No : Writ Petition (PIL) No. 374 Of 2025

Amrit Majhi

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision : 20-02-2025

Acts Referred:

Citation : (2025) 02 JH CK 1229

Hon'ble Judges : M.S. Ramachandra Rao, CJ;Deepak Roshan, J

Bench : Division Bench

Advocate : Amit Kumar, Piyush Chitresh, Richa Sanchita

Final Decision : Dismissed

Judgement

Deepak Roshan, J

1. The instant writ application has been preferred by the petitioner for the following reliefs:

"a. For direction upon the respondents to take necessary steps to stop the construction work of cement plant being constructed by respondent No. 9 in the name of extension of steel plant at Mouza- Chaliyama, Post- Kesargariya, P.S.- Rajnagar, Dist: Seraikella Kharsawan.

b. For direction upon the respondents to constitute an Enquiry Committee to enquire into the matter to find out as to how cement plant is being constructed by respondent No. 9 in the name of extension of steel plant at Mouza- Chaliyama, Post- Kesargariya, P.S.- Rajnagar, Dist: Seraikella - Kharsawan without following the due process of law.

c. For direction upon the respondents to take necessary steps against the persons who are involved in obtaining fake consent of gram sabha for extension of steel plant and why cement plant is being constructed without the prior meeting of gram sabha and taking of resolution thereby.

d. For interim order/direction upon the respondents to stop the construction work of cement plant during the pendency or disposal of this case by this Hon'ble Court."

2. Learned counsel for the petitioner submits that the respondent no.9 is running steel plant at village Chaliyama and in the notification published by the Jharkhand State Pollution Control Board, Ranchi (Annexure-1) for purpose of environment clearance, a public notice was given for public hearing.

The grievance of the petitioner is that the respondent no. 9 is constructing a cement plant, the knowledge of which he acquired from R.T.I. application, as such learned counsel contends that why construction work of cement plant is being constructed by respondent no.9, in view of the fact that the villagers / effected persons gave their consent for extension of steel plant because the construction of steel plant will provide employment to local people which will help to prevent displacement and also the said construction will develop the said village as it will get clean water, road and basic structure of the village will be developed. But the cement plant will pollute the entire area and will lead to acute pollution and different types of.

3. We have perused the entire documents available on record and found that no individual person whose land have been acquired came to the Court. Moreover, Annexure-4 which is an application given to the D.C with regard to the alleged illegal construction of cement plant; none of the person who have signed has moved before this Court. The petitioner himself admits that construction of steel plant will provide employment to local people and will help to prevent displacement and will develop the said village by fund of CSR and there will be good development. We do not find any reason as to why the said analogy will not work in the case of cement plant, even admitting that the same plant is being constructed by the respondent no.9.

Further it is pertinent to mention here that though primary steps for steel making do not require cement, but a by-product of steel making called steel slag can be used as component in cement production creating a circular economy established between the two industries.

We further find that the grievance of the petitioner is with respect to environment pollution. In this regard, the National Green Tribunal (NGT) was established on 18th October, 2010 as a specialized body for handling any environmental disputes that involve multi-disciplinary issues.

4. Having regard to the aforesaid facts and circumstances, we do not find any reason to entertain this public interest litigation.

5. Accordingly, the same is dismissed. However, there is no order as to cost.