

(2020) 01 JH CK 0231

In the Jharkhand High Court

Case No : Writ Petition (PIL) No. 1385 Of 2012

Jharkhand Human Rights Conference

APPELLANT

Vs

State Of Jharkhand And Ors

RESPONDENT

Date of Decision : 17-01-2020

Acts Referred:

Citation : (2020) 01 JH CK 0231

Hon'ble Judges : Dr. Ravi Ranjan, CJ; Sujit Narayan Prasad, J

Bench : Division Bench

Advocate : S.B. Deo, D.K. Pathak, Rajiv Sinha, Bhanu Kumar, Richa Sanchita, A.K. Singh, Amrita Kumari, Amit Kumar Sinha

Judgement

Dr. Ravi Ranjan, CJ

1. Heard the parties.

2. Pursuant to the order dated 10.01.2020, a supplementary counter affidavit has been filed on behalf of respondents-State of Jharkhand submitting the

time-line for completion of the project. It is stated that so far the Pakur, Barhi and Palamu sites are concerned, the project can be completed within a

period of 18 months. So far Deoghar site is concerned, it has been stated that though initially one company had shown interest but he did not turn up,

therefore, in absence of any update from the agency it is not possible to give any specific time-line.

3. So far Sindri site is concerned, it is stated that SEIAA has made an objection upon the land acquired for Sindri Site since portion of the land has

been shown as forest land in the revenue records. In view of this technical objection, it has been decided by the Committee to keep the Sindri Project

in abeyance for the present as in their opinion, the Bhuli (Dhanbad) Project,

which was previously functional and now its equipment can be updated within a period of three months would serve the purpose.

4. So far Adityapur site is concerned, it is stated that the same will become functional within three months. So far Lohardaga and Ramgarh sites are concerned, they are operational.

5. It is also stated that terms of the members of the SEIAA has expired. State is required to take steps by sending names to the Ministry of Environment and Forest, Government of India.

6. Let such steps be taken immediately by the State and then whatever matter may be pending that may be sent to the Ministry of Environment and Forest, Government of India for clearance.

7. Let Ministry of Environment of Forest, Government of India take immediate action on matters with regard to grant of environmental clearance.

8. Let the copies of such letters which have been sent to the Ministry of Environment and Forest, Government of India, be served upon the learned A.S.G.I by learned counsel for the SEIAA.

9. In an answer to the query put by us, learned counsel for the State informed that if the Deoghar site will become operational then the projects would cover the entire State of Jharkhand.

10. In view thereof, let immediate steps be taken so that Deoghar Site be become operational.

11. Put up this matter on 20.03.2020.

12. By that date, let an affidavit be filed by the State Government to show what further progress has been taken in the matter. Let an affidavit be also filed on behalf of Union of India as to what steps have been taken with regard to pending matters for environmental clearance.