
(2014) 02 JH CK 0053
In the Jharkhand High Court
Case No : W.P. (PIL) No. 3998 of 2012

Ranchi District Crushers Association	Vs	APPELLANT
State of Jharkhand		RESPONDENT

Date of Decision : 28-02-2014

Acts Referred:

Environment (Protection) Act, 1986 — Section 3

Citation : (2014) 4 FLT 605

Hon'ble Judges : R. Banumathi, C.J.; S. Chandrashekhar, J

Bench : Division Bench

Advocate : Rajeev Kumar, Advocate for the Appellant; A. Allam, Prabhash Kumar, C.G.C. and A.K. Pandey, Advocate for the Respondent

Judgement

R. Banumathi, C.J. and S. Chandrashekhar, J.—This Public Interest Litigation has been filed by the Ranchi District Crushers' Association seeking for issuance of direction to the respondents to constitute "State Level Environment Impact Assessment Authority" for the State of Jharkhand, as it has been constituted in other States in exercise of the powers conferred under sub-section (3) of section 3 of the Environment (Protection) Act, 1986 and other directions.

We have heard Mr. Rajeev Kumar, the learned Counsel appearing for the petitioner, Mr. A. Allam, learned Sr. S.C.-II appearing on behalf of the State of Jharkhand, Mr. Prabhash Kumar, learned Counsel appearing on behalf of the Union of India and Mr. A.K. Pandey, learned Counsel appearing on behalf of S.E.I.A.A.

The Central Government has announced the introduction of a new and dynamic system of Environment and Forest Clearance. For this, the projects are categorized in two parts, category A projects are appraised at Ministry of Environment and Forest Level, Category B projects are categorized at State Environment Impact Assessment Authority constituted by the Ministry of consultation with respective State Government.

2. When the matter came up for hearing, the learned Counsel appearing for the respondents has drawn our attention to the Gazette Notification of the Union of India dated 27.12.2012. Pursuant to the said Notification, the Central Government in consultation with the State of Jharkhand has constituted "State Expert Appraisal Committee" and the same was notified in the Gazette Notification dated 27.12.2012 and the State of Jharkhand has notified the Constitution of the "State Level Environment Impact Assessment Authority-S.E.I.A.A. by the Notification No. 1583 dated 3.4.2013. Since, in this Public Interest Litigation, the petitioner has raised the grievance with respect to Constitution of State Level Environment Impact Assessment Authority-S.E.I.A.A., which now in the State of Jharkhand has been constituted vide Notification No. 1583 dated 3.4.2013, and therefore, this Public Interest Litigation is disposed of. However, the liberty is reserved with the petitioner to approach the authority with respect to grievance he has raised by filing the supplementary affidavit (Annexure-16).