

IN THE HIGH COURT OF JHARKHAND AT RANCHI  
W.P.(PIL) No. 1325 of 2011

Court On Its Own Motion ... Petitioner  
-Versus-  
State of Jharkhand and others ...Respondents  
.....

**CORAM :**                    **HON'BLE THE CHIEF JUSTICE**  
   **HON'BLE MR.JUSTICE APARESH KUMAR SINGH**  
   .....

For the petitioner     :Mr.Indrajit Sinha(Amicus Curiae)  
For the Respondents : Mr.R.R.Mishra, G.PII,  
   Mr.R.R.Nath, Adv.  
   Mr.A.K.Pandey,Adv.  
   Mr.B.K.Kanth,Sr.Adv. &  
   Mr.G.Mishra,Adv.

**Order no.23**

**Dated- 29<sup>th</sup> February, 2012**

- .....
1. This Court in various previous orders took serious note of the condition of the rivers flowing in the area nearby the units of Tata Steel and examined the allegation and the reply to allegation with respect to the dumping of slag in the bank of the rivers Kharkai and Subernrekha. We have also perused the reply filed by the Tata Steel as well as reply filed by the Pollution Control Board with a document stating therein that now the Tata Steel is not dumping the slag in the river bed area. We have also perused the affidavit filed by the State, which has been filed in pursuance of the direction of this Court, which indicate that huge area of the river bank has been spoiled by dumping of the slag.
  2. However, learned counsel for the Tata Steel submitted that all that was done prior to 2003 for the pious aim and object to strengthen the bank of the river, so as to benefit the public at large.
  3. Be that as it may, learned counsel for the Tata Steel submitted that the Tata Steel Ltd. is not dumping the slag in the river bed area and they are still of the same stand and they will not do in future

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and, therefore, they are giving undertaking to this Court that Tata Steel will not dump the slag or any pollutant in the river nor put it in the bank of the river anywhere.

4. In view of the above undertaking, so far future is concerned, Tata Steel Ltd. is directed not to dump any slag or pollutant in or on the bank of the rivers referred above and learned Amicus Curiae submitted that in view the damage already caused, some remedial measures may be taken at the cost of M/s Tata Steel.

5. Learned Amicus Curiae may suggest the ways by which some remedial measures may be taken, which may be considered by Tata Steel also in public interest, irrespective of their claim of not making any pollution etc. The proposal may be worked out and copy of the proposal may be given to the counsel for the Tata Steel as well as to the State and the counsel for the Pollution Control Board.

6. List this matter again on 26<sup>th</sup> March, 2012.

Let a copy of this order be given to the counsel for the parties.

( **Prakash Tatia, C.J.** )

( **Aparesh Kumar Singh, J.** )

G.Jha/