

IN THE HIGH COURT OF JHARKHAND AT RANCHI
I.A. No. 3814 of 2014
in
W.P.(PIL) No. 1188 of 2014

Court on its own motion Petitioner
-Versus-
Union of India and ors. Respondents

CORAM : **HON'BLE THE CHIEF JUSTICE**
HON'BLE MR.JUSTICE AMITAV KUMAR GUPTA

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For the Petitioner : Mr.Ananda Sen, Amicus Curiae
For Respondent-Union
of India: :Mr.M.Khan, ASGI
For the State : Mr.Rajesh Shankar, Govt. Adv.
For Respondent no.2/
Uranium Corp.of India : Mr.V.Shivnath,Sr.Adv.
For respondent no.9
Pollution Control Board: Mr. A.K.Pandey, Adv.

Order no.05

Dated 7th August, 2014

I.A. No. 3814 of 2014

1. This Court has taken suo moto cognizance of the report published in 'The Hindustan Times' dated 23rd February, 2014 (Ranchi Edition) regarding the devastating effect of Radiation emanating from the mining of Uranium on environment and population in village Jadugora, district-East Singhbhum in the State of Jharkhand.
2. This application has been filed to implead the Editor of newspaper, Hindustan Times (Ranchi Edition) dated 23.2.2014 and one Shri Chinki Shukla, Photo Journalist of the Hindustan Times (Ranchi Edition) dated 23.2.2014 .
3. Mr.V.Shivnath, learned Senior Counsel for the applicant has submitted that the news item published in the Hindustan Times dated 23.2.2014 has no supporting evidence and the same is without any scientific basis.

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4. The learned Senior Counsel has drawn the attention of the Court to Annexure-5, the order of the Hon'ble Supreme Court in Special Leave Petition(C) No. 36179 of 2013 dated 8th May, 2014 and submitted that the effect of radiation by the Uranium and others have been considered by the Hon'ble Supreme Court and various directions have been issued and, therefore there is no basis for the news item.

5. Suo motu cognizance of the news item had been taken mainly on the health hazardous alleged to have been caused due to radiation to the residents around the area and only to ensure safety measures and also to provide health care to those affected areas. Our main concern is only health care of the people. Therefore, we do not find any reason to implead the Editor of newspaper, Hindustan Times (Ranchi Edition) dated 23.2.2014 and also the said Photo Journalist- Shri Chinki Shukla of the Hindustan Times (Ranchi Edition). This Interlocutory Application (I.A. No. 3814 of 2014) is, accordingly, dismissed.

6. In so far as the contention of the 2nd respondent that the news item in the newspaper has no scientific basis, it is always open to the 2nd respondent- Uranium Corporation of India to put forth its case and satisfy the Court about the safety measures that has been taken.

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1. Dr.R.P.Acharya, Deputy Secretary, Department of Atomic Energy and Mr. S.K.Shrivastava, Director(Technical), Uranium

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Corporation of India are present in the Court.

2. In the light of the order dated 28th February, 2014, a team constituted by the 2nd respondent along with experts, including some doctors made an inspection of Jadugora Uranium Mines and also the surrounding areas and filed a detailed report . The team shall examine whether any unprocessed and processed radio-active materials are left in the pits and around and whether the area is guarded with gate or boundary wall. The team shall also examine the habitation around the tailing ponds and whether sufficient precautions are taken to prevent local resident from going near the tailing ponds. The team shall also to examine the present radiation level and also the effect of radio activity and Gama rays and other chemicals arising out of the mining operation on health of the residents in and around the area and environment.

3. The 2nd respondent shall also examine as of date regarding the measures taken by the Uranium Corporation of India at Jadugora to bring down the effect of nuclear radiation emanating out of the mining operation, transportation and disposal of the radio active waste and also the safety measures taken in the tailing pond, where the nuclear waste are stored.

4. The 2nd respondent shall also examine the amount of radium related heavy metals and other chemicals to go to local environment like soil, water etc. around the place of mining and whether it has affected the environment and also the health of the residents in and around the area. The 2nd respondent is at

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liberty to take assistance of any expert, as they deem fit.

5. Learned amicus curiae-Mr.Ananda Sen also requests some time.

6. Accordingly, post this matter after three months.

7. Issue a copy of this Order to the learned counsel for the parties.

(R. Banumathi, C.J.)

(Amitav Kumar Gupta, J.)

G.Jha/