

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**W.P.(PIL) No. 1188 of 2014**

Court on its own motion ... Petitioner

Vs.

1. Union of India.
2. Uranium Corporation of India Ltd. (U.C.I.L.)
3. Department of Atomic Energy, Government of India, New Delhi
4. The State of Jharkhand, through its Chief Secretary, Government of Jharkhand, Ranchi
5. Principal Secretary, Department of Health, Medical Education & Family Welfare, Government of Jharkhand, Ranchi
6. Principal Secretary, Department of Forest & Environment, Government of Jharkhand, Ranchi
7. Principal Secretary, Department of Energy, Government of Jharkhand, Ranchi
8. Principal Secretary, Department of Disaster Management, Government of Jharkhand, Ranchi
9. Jharkhand State Pollution Control Board, Ranchi
10. Jharkhand State Legal Services Authority (JHALSA), Nyaya Sadan, Ranchi

... .. Respondents

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**CORAM :**                    **HON'BLE THE CHIEF JUSTICE**  
                                  **HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR**  
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**Order No. 1**

**Dated 28<sup>th</sup> February, 2014**

This Court has taken *suo moto* cognizance of the report published in 'The Hindustan Times' dated 23<sup>rd</sup> February, 2014 (Ranchi Edition). 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 has been the subject matter of several media reports that appear in the print media or visual media.

Recently **The Hindustan Times** dated 23<sup>rd</sup> February, 2014 (Ranchi Edition) reported a news item about the disastrous effect of Uranium Mining Operation photographically under the caption "**Jadugora: The Nuclear Graveyard**" making the most cherished provision of the Indian

Constitution **“Right to Life and Personal Liberty”** as enshrined in Article 21 to the Constitution of India **lifeless** and **inactive** in this context.

This Court takes note of the following facts:-

Jadugora Mine has the distinction of being the **first Uranium Mine of the country** where mining operation of uranium began in 1967 by Uranium Corporation of India Ltd. (U.C.I.L.) which is a Public Sector Enterprise under the Department of Atomic Energy, Govt. Of India. The production of uranium by U.C.I.L. plays a significant role in India's Nuclear Power Generation Programme.

Radioactive waste coming out from three U.C.I.L. owned uranium mines has put about 50 thousand people in Jharkhand's Jadugora at risk. The people, mostly tribal community appears to be suffering from serious radiation-related health problems.

All mining operations are related with occupational health and safety hazards. Uranium mines additionally present more horrifying health and safety hazard **not only to the workers but to the members of the public at large**, that is, a radiation hazard. In addition to radiological hazards, uranium and its progenies also present chemical hazards.

Large number of people/members of public living near Jadugora mines are facing radiation problems. The health problems related to uranium mining are affecting the indigenous people disproportionately in and around Uranium Mining Operational Area.

The health of indigenous people around uranium mining is more vulnerable to certain health problems inasmuch as: -

### 3.

- (i) Congenital Deformities:-** Congenital defect as a cause of death of a child is also high among mothers living near uranium mining operations area. Children are born with swollen heads, blood disorders and skeletal distortions.
- (ii) Cancer:-** Cancer as a cause of death is more common in villages surrounding uranium operations.
- (iii) Primary sterility:-** Primary sterility is more common in the people residing near uranium mining operations area.
- (iv) Life Expectancy:-** The life expectancy of people living near uranium mining operations area is less; as a result more people are dying in their early ages in villages around uranium mining operation area.
- (v) Abortion:-** Prevalence of spontaneous abortion among married women is more in the people living near uranium mining operational area.
- (vi) Tuberculosis:-** Pulmonary Tuberculosis is very high among the people working in or living near the uranium mining operational area. Several TB patients are being treated at government/UCIL health facilities for years together, with no relief in most of the cases.
- (vii) Lungs Diseases:-** Prevalence of lungs diseases are very common in the people living near uranium mining operational area.
- (viii) Kidney Function:-** Long-term ingestion of uranium by humans may produce interference with kidney function at the elevated

levels of uranium found in some groundwater supplies.

**(ix) Bone Marrow, Gonads, Gastro Intestinal Mucosa, Lenses of the Eyes, Lungs & Central Nervous System, Lukemia, Skin & Thyroid:-** The people who consume drinking water with elevated uranium concentrations [Kurttio2005], in addition to kidneys, bone may be another target of chemical toxicity of uranium in humans such as Bone Marrow, Gonads, Gastro Intestinal Mucosa, Lenses of the Eyes, Lungs & Central Nervous System, Lukemia, Skin & Thyroid.

It is reported that once upon a time children's playground, open grazing area and other public places are used now as tailing ponds where uranium mine liquid is stored to evaporate in close vicinity of the villages and they have become source of continued exposure to radioactive substances causing all kinds of environmental and health hazard for the indigenous people living in the area.

This Court is under constitutional obligation to express on the impact of U.C.I.L. operations on the health and environment in the State of Jharkhand and seeks immediate response from the respondents.

Keeping in view the disastrous effect of Uranium Mining and also the safety and health of the workers working in Jadugora Uranium Mining and people in and around Jadugora Uranium Mining and surrounding places, this Court, on its own motion, takes this Public Interest Litigation against the respondents indicated above.

The respondents are directed to respond on the following points :-

- (i) The respondents (particularly respondent Nos. 2 and 3) are directed to file their response informing the Court about the safety measures and standards adopted in respect of the

5.

workmen working in the Uranium mining operation in ***Jadugora at Bhatin Mine, Turamdih Mine, Bagjata Mine, Narwapahar Mine, Banduhurang Mine, Mohuldih Mine in the District of East Singhbhum and Seraikela Kharsawan*** and also the villagers and the common people living in the area.

- (ii) The respondents (particularly respondent Nos. 2 and 3) are directed to file the response regarding the measures taken to prevent the effect of nuclear radiation emanating out of the mining operation, transportation and disposal of the radioactive waste in the health of the people at large and environment surrounding the area.
- (iii) Steps taken for safety disposal of radioactive waste.
- (iv) Safety measures taken in ensuring the safety and health of the workers and people living in the vicinity for protecting them from the nuclear radiation of Uranium.
- (v) The respondents (particularly respondent Nos. 4 and 5) are directed to inform the Court about the establishment of hospitals in providing health care to the people in and around Jadugora Uranium Mine and all other surrounding places.
- (vi) What measures have been taken to create awareness amongst the common people about the prevention and cure of bad effects of the radioactive and Gama rays and other chemicals arising out the mining operation on health and environment.
- (vii) The respondents, (particularly respondent No.9 -Jharkhand State Pollution Control Board), is also directed to file detailed

6.

response on all the above aspects.

(viii) Other relevant information.

Mr.M.Khan, learned Assistant Solicitor General, appearing on behalf of the Union of India, accepts notice on behalf of respondent nos. 1 to 3; whereas Mr.Rajesh Shankar, learned Government Advocate, accepts notice on behalf of respondent nos.4 to 8. Mr.Prabhas Kumar, learned counsel, accepts notice on behalf of respondent no.9-Pollution Control Board.

The matter be listed on **14.3.2014**.

Issue a copy of this order to the counsel for the parties.

**(R. Banumathi, C.J.)**

**(Shree Chandrashekhar, J.)**