

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (PIL) No.1932 of 2021**

1. Khushilal Mahto, son of Late Damarlal Mahto.
2. Ruplal Mahto, son of Late Pokha Mahto.
3. Saryu Mahto, son of Late Baijnath Mahto.
4. Yogendra Mahto, son of Sri Rijhoo Mahto.

Sl. Nos.1 to 4 are residents of Basantpur, P.O. Kedla, P.S. Mandu, District-Ramgarh.

5. Chaturvedi Mahto, son of Sri Doman Mahto, resident of Basantpur, Pachanda, P.O. Kedla, P.S. Mandu, District-Ramgarh.

..... Petitioners.

-Versus-

1. The State of Jharkhand.
2. Jharkhand State Pollution Control Board, Govt. of Jharkhand having office at CDE 256, HEC Colony, CTI Colony, Sector-III, Dhurwa, P.O. Dhurwa, P.s. Jagarnathpur, District-Ranchi.
3. Deputy Commissioner, Ramgarh.
4. Central Coalfields Limited having office at Darbhanga House, Ranchi, P.O. G.P.O., P.S. Kotwali, District-Ranchi.
5. Chairman-cum-Managing Director, having office at Darbhanga House, Ranchi, P.O. G.P.O., P.S. Kotwali, District-Ranchi.
6. General Manager, Washery, Division C.C.L., Darbhanga House, Ranchi, P.O. G.P.O., P.S. Kotwali, District-Ranchi.
7. General Manager, Hazaribagh Area, Central Coalfields Limited having office at + P.O. Charhi, P.S. Charhi, District-Hazaribagh.

..... Respondents.

**CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Petitioners : Mrs. Aprajita Bhardwaj, Advocate
Mr. Akash Ajit Kumar, Advocate
For the State : Mr. Gaurav Raj, A.C. to AAG-II
For the JSPCB : Mrs. Richa Sanchita, Advocate
For the CCL : Mr. A.K. Das, Advocate

Order No.15

Date: 19.02.2026

1. Heard learned counsel for the parties.

2. This Public Interest Litigation concerns the Kedla Washery already established by the Central Coalfields Limited-CCL (respondent no.4) and the Basantpur Washery which is proposed to be established at Basantpur, District Ramgarh.
3. In so far as the Kedla Washery is concerned, Mrs. Aprajita Bhardwaj submits that the various permissions granted to the CCL required the CCL to ensure that the water bodies in the vicinity are not polluted. She referred to the photographs annexed to the petitioners' rejoinder dated 15th September, 2025 and submitted that the water bodies are grossly polluted and the Kedla Washery is being operated in breach of the terms and conditions of the permissions issued by the statutory authorities. She submitted that the petitioners have already complained to the authorities but they are not interested in taking any action though they are duty bound to. Therefore, she submitted that a mandamus be issued to the statutory authorities to investigate into the petitioners' complaint about pollution and environmental degradation and further, action be taken against the Kedla Washery as required under the law.
4. Mrs. Bhardwaj submits that in so far as the Basantpur Washery is concerned, the CCL has obtained an environmental clearance. For obtaining such environmental clearance, the CCL has undertaken not to pollute the water bodies in the locality. Mrs. Bhardwaj submits that going by the track record of the CCL and the manner in which they have breached the undertakings or terms and conditions in the context of the Kedla Washery, the

petitioners sincerely apprehend that the undertakings now given by the CCL would remain paper undertakings. She relied on the precautionary principle which is now accepted as a necessary concomitant under Article 21 of the Constitution of India and submitted that the CCL must not be allowed to proceed to set up the Basantpur Washery until, the water bodies that they have polluted in an around the Kedla Washery are restored to their original pristine condition.

5. Mr. A.K. Das, learned counsel for the respondent-CCL submitted that no complaints have been received from the petitioners with regard to the Kedla Washery. He submitted that the Basantpur Washery is yet to be established and the apprehensions now expressed by the petitioners are quite imaginary and farfetched. He submitted that there is no reason to presume that the undertakings, if any, given by the CCL would not be complied with by the CCL or that the CCL would establish the washery in breach of the terms and conditions that may be imposed upon it.
6. Mrs. Richa Sanchita, learned counsel for the Jharkhand State Pollution Control Board submitted that as yet no consent to establish has been issued and even after consent to establish is issued, the CCL would have to obtain consent to operate before the actual operations commenced.
7. The learned counsel for the respondents, therefore, submitted that this petition is entirely premature and based on apprehensions that have no serious foundations.

8. We have heard the rival contentions and we propose to dispose of this petition by not reacting to the various allegations made by the petitioners but at the same time, remaining conscious that environmental issues need to be addressed with seriousness given the precautionary principle referred to by Mrs. Bhardwaj on behalf of the petitioners.
9. In so far as the Kedla Washery is concerned, we find that the petitioners have only referred to the alleged pollution caused on account of this washery in the context of opposing the proposed Bansantpur Washery.
10. Nevertheless, we grant the petitioners liberty to file a detailed complaint along with photographs, scientific reports, if possible, with regard to their charge that the Kedla Washery is polluting the water bodies in the vicinity. If such complaint is filed, the Jharkhand State Pollution Control Board and/or any other statutory authorities, who are duty bound to act in the matter, are directed to investigate into such complaint and dispose of the same in accordance with law and on its own merits as expeditiously as possible and in any event within two months from the date of its receipt.
11. The statutory authorities including the Jharkhand State Pollution Control Board must inspect the water bodies, obtain scientific reports to determine whether these water bodies are polluted and further whether the Kedla Washery is responsible for such pollution. After that, if any substance is found in the petitioners' complaint/allegations, the statutory authorities, including the

Jharkhand State Pollution Control Board, must act in accordance with law and take action against the polluters, whether they be the CCL or any others.

12. Needless to add that if any of the parties are affected by the decisions of the statutory authorities, including the Jharkhand State Pollution Control Board, they would be at liberty to challenge such action in accordance with law and before the appropriate prescribed forum. At present, we clarify that we have not investigated the allegations now levelled by the petitioners. Therefore, we have neither accepted them nor accepted the CCL's denials. All such matters are left open to be decided by the statutory authorities in the first instance.
13. In so far as the Basantpur Washery is concerned, it has yet to be established. Therefore, we agree with the learned counsel for the respondents that this petition is rather premature. If and indeed, the apprehensions now expressed by the petitioners turn out to be correct, it is always open to the petitioners to take necessary steps, which would include filing complaints with the statutory authorities so that their grievances are redressed.
14. Again, we add that if such complaints are filed, the statutory authorities must at least look into such complaints and dispose of them in accordance with the law. At the same time, we expect even the petitioners to be responsible when filing complaints, and such complaints must not be filed for any extraneous considerations or for pursuing any cause other than the environment.

15. With the above directions and liberties, we dispose of this petition. No costs. All concerned to act on an authenticated copy of this order.
16. Interlocutory application(s), if any, is also disposed of.

(M. S. Sonak, C.J.)

(Rajesh Shankar, J.)

19th February, 2026
Sanjay/Rohit
Uploaded on 20.02.2026