

16.01.2025
Item Nos.11-12
gd/ssd

WPA(P)/482/2024
RAHUL BHUI AND ORS.
VS
UNION OF INDIA AND ORS.
with
WPA(P)/483/2024
BUDHAN MAJI AND ORS.
VS
THE UNION OF INDIA AND ORS.

Mr. Sagarmay Ghosh
..for the Petitioners.

Mr. Sujit Sankar Koley
..for DPL.

Mr. Sanjay Saha.
MrRaju Mondal
..for the Respondent No.4.

1. In both the public interest writ petitions the petitioners seek for implementation of the resettlement and rehabilitation package for the inhabitants and secure adequate support to civic communities etc.

2. According to the petitioners, the residents are entitled to these measures on account of the fact that they are being affected by illegal mining activities within 100 ft. from the structures and buildings in the village in question.

3. More or less an identical prayer was made by way of another public interest writ petition in WPA(P) 81 of 2023 in the matter of Budhan Maji and Others v. Union of India & Others, who, in fact, is the petitioner in WPA(P) 483 of 2024. The writ petition was disposed

of by order dated 16.10.2023 by passing the following order:

“1. This public interest litigation concerns the people of Chunpora village, who alleged that on account of illegal and unscientific way of mining activity done by the respondents, the entire population of that village are affected, houses are cracked and the entire area is inundated by water etc. In this regard, representations was submitted on 28.12.20215 to the District Magistrate, Bankura and we are surprised to find that the District Magistrate by a cryptic one line reply dated 13.01.2016 directed to the petitioner to address the authority of WBMDTCL and DPL for redressal of their grievance. We do not appreciate the manner in which the then District Magistrate, Bankura dealt with the report while issuing the reply dated 13.01.2016. In any event, by efflux of time several other changes would have taken place. Therefore, we direct the District Magistrate, Bankura to immediately send a team of his officers to the area in question and conduct a thorough inspection and such inspection shall be conducted in the presence of the authorities of DPL. Based on the inspection appropriate action would be initiated by the District Magistrate or in the event he has made any recommendation to any other authority, shall recommend the same within eight weeks from the date of conclusion of the inspection.

2. With the above observation and direction, this writ petition is disposed of.”

4. The learned advocate for the Durgapur Projects Limited has submitted that a copy of a report which has been drawn wherein certain suggestions have also been put forth, namely, rehabilitation and resettlement work of the dwellers of Chunpora village should be expedited; detailed progress of the demographic study related to rehabilitation and resettlement work of Chunpora village will be communicated to the District

Authority by the mine management, department of Durgapur Projects Limited.

5. Thus, it appears that certain action has been taken pursuant to the orders passed in the earlier writ petition which was filed by the petitioner in WPA(P) 483 of 2024.

6. Therefore, we dispose of these writ petitions by directing the officials of the Durgapur Projects Limited to forward the demographic study report relating to rehabilitation and resettlement work of Chunpora village to the District Magistrate, Bankura within a period of three weeks from the date of receipt of the server copy of this order and upon receipt of the said report, the District Magistrate shall take steps that have been recommended pursuant to the inspection which was made and ensure that the rehabilitation and resettlement work of the dwellers of Chunpora village is expedited preferably within a period of six months from the date on which the order is communicated to the District Magistrate.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)