

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (PIL) No. 682 of 2025

1. Nageshwar Acharya, Aged about 37 years, Son of Arun Kumar Acharya, Resident of Village Icha, Rajnagar, P.O. Icha, P.S. Rajnagar, District Saraikela Kharsawan.
2. Suraj Pradhan, Aged about 35 years, Son of Arbind Kumar Pradhan, Resident of Village Icha, Rajnagar, P.O. Icha, P.S. Rajnagar, District – Saraikela Kharsawan. ... Petitioners

Versus

1. The State of Jharkhand through Chief Secretary, Government of Jharkhand having its Office at Project Building, P.O. Dhurwa, P.S. Dhurwa, District Ranchi.
2. The Principal Secretary, Department of Industries, Government of Jharkhand, having its office at Nepal House, P.O. Doranda, P.S. Doranda, District Ranchi.
3. The Principal Secretary, Department Health, Medical Education & Family Welfare, Government of Jharkhand, having its office at Nepal House, P.O. Doranda, P.S. Doranda, District Ranchi. ... Respondents

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

For the Petitioners: Mr. Anupam Anand, Advocate
Mr. Pranav Kumar, Advocate
For the Respondents: Mr. Piyush Chitresh, A.C. to A.G.

Reserved on: 08.04.2026

Pronounced on: 16.04.2026

Per M. S. Sonak, C.J.

1. The present writ petition has been filed in purported public interest seeking, inter alia, the following reliefs –

- a. *For issuance of an appropriate writ/ writs, order/ orders, direction/ directions particularly a writ in nature of mandamus commanding upon the Respondents to ensure that proper parking facilities are provided to the truck who are plying goods from and to Chaliyama Steel Plant, situated at Rajnagar, District- Saraikela Kharsawan*

operated by M/s Rungta Mines Limited in terms of the Rule 41 of Jharkhand Building Bye-laws, 2016 as there is no parking facility in available at the entry and exit gate of the said Steel Plant and public road is being used for by the trucks who are plying goods from and to Chaliyama Steel Plant and as such frequent road accident are taking place.

- b. *For issuance of an appropriate writ/ writs, order/ orders, direction/ directions particularly a writ in nature of mandamus commanding upon the Respondents to ensure that labours working at Chaliyama Steel Plant, situated at Rajnagar, District- Saraikela Kharsawan operated by M/s Rungta Mines Limited are provided with proper health care facilities which are accessible to them as they working in hazardous condition and nearest hospital to the said site is 12 (Twelve) Kilometres away at Chaibasa Sadar Hospital.*
- c. *For issuance of an appropriate writ/ writs, order/ orders, direction/ directions particularly a writ in nature of mandamus commanding upon the Respondents to constitute a committee to investigate that the labours working at Chaliyama Steel Plant, situated at Rajnagar, District- Saraikela Kharsawan are provided with adequate health care, sanitation and wages in accordance with the laws and industry standard.*

2. The above reliefs are sought in public interest litigation on behalf of the workers at the Chaliyama Steel Plant and commuters on the roads at Rajnagar in the district of Seraikella-Kharsawan.

3. The petitioners have alleged systemic operational negligence and persistent disregard for statutory mandates in the management and operation of the Chaliyama Steel Plant (CSP). They have alleged that on account of inadequate parking facilities and narrow roads in the region, heavy vehicles and trucks concerned with CSP utilize a disproportionate portion of the roads and stretches of the national highway in the region, creating serious hazards for the workers and commuters.
4. The petitioners have alleged that there are no adequate medical facilities either within the CSP or in its vicinity. They have alleged that on account of road accidents and other accidents related to non-compliance with safety regulations, the workers and the commuting public suffer. In the absence of medical facilities in the vicinity, such victims are often denied reasonable and adequate medical services. They have submitted that all these issues are of public interest and therefore the reliefs prayed for by them should be considered and granted.
5. The respondents have filed affidavits in this matter. They shall be discussed during this judgment and order. However, the respondents, in their affidavits, have pointed out the facilities already provided and have offered suggestions which would go a long way in addressing the issues raised by the petitioners in this petition.
6. The rival contentions, therefore, now fall for our determination.
7. At the outset, we note that the right to health, particularly in the context of workers and other downtrodden persons, has been consistently recognised as an integral facet of the right to life under Article 21 of the Constitution.
8. In the cases of ***Consumer Education & Research Centre v. Union of India, reported in (1995) 3 SCC 42*** and ***Bandhua Mukti Morcha v. Union of India, reported in (1984) 3 SCC 161***, the Hon'ble

Apex Court emphasised that the State is constitutionally obliged to ensure adequate health care, sanitation facilities and fair wages for workers, especially those engaged in hazardous industries. This obligation is further reinforced by the decisions of the Hon'ble SC in the cases of ***Parmanand Katara v. Union of India, reported in (1989) 4 SCC 286*** and ***Paschim Banga Khet Mazdoor Samity v. State of West Bengal, reported in (1996) 4 SCC 37*** respectively, which hold that the right to emergency medical treatment is fundamental and cannot be denied to any person.

9. In the specific context of hazardous industrial activities such as steel manufacturing, the principle of *absolute liability* was enunciated by the Hon'ble Supreme Court in ***M.C. Mehta v. Union of India, reported in (1987) 4 SCC 463***. Further, in ***Occupational Health & Safety Association v. Union of India, reported in (2014) 3 SCC 517***, the Hon'ble Supreme Court issued detailed directions for the establishment and maintenance of proper occupational health centres with adequate medical infrastructure in hazardous industries. Most recently, in the case of ***Peoples Rights and Social Research Centre (PRASAR) v. Union of India, reported in 2024 INSC 582***, the Hon'ble Apex Court reiterated that failure to protect workers from occupational hazards and provide accessible healthcare facilities amounts to a violation of Article 21 read with Articles 39(e) and 42 of the Constitution.

10. Therefore, we cannot accept the contention raised by some of the respondents that this petition should not have been treated as a public interest litigation or that this petition must be now rejected with liberty to the workers or the commuters to file regular writ petitions.

11. At the same time, we are satisfied that the reliefs for appointing a fact-finding committee need not be granted in this public interest litigation. Such orders are not to be made routinely. Besides, in this case, some effective orders can be made based upon certain positions admitted by and on behalf of some of the respondents. As regards the parking issues, we refer to Rule 41 of the Jharkhand Building Bye laws, 2016. This rule mandates the provision of internal parking facilities for industrial units. This rule must be complied with by CSP.

12. In the absence of a designated parking bay on the CSP premises, it appears that heavy vehicles and trucks carrying goods to and fro from the CSP disproportionately use public roads as a makeshift parking area. Such parking naturally obstructs the free flow of traffic and leaves all other commuters with much less road space. Thus, to further the commercial interests of CSPs, and *prima facie* on account of CSPs not complying with the statutory requirements to provide adequate parking facilities for their own vehicles or the vehicles of those with dealings and transactions with CSPs, the traveling public and commuters are forced to suffer.

13. The petitioners have placed on record several photographs showing trucks parked on public roads outside the CSP. The petitioners have also placed on record complaints and representations regarding the disproportionate use of public roads by CSP vehicles or vehicles transacting business with CSP. The petitioners have complained that their representations are not being addressed either by the CSP or the statutory authorities. For all these reasons, we are satisfied that the issues raised fall within the realm of public interest and cannot be dismissed by styling them as private interest disputes.

14. There must be some equity when it comes to user of public roads. If big industries like CSP start to disproportionately use public roads

without adopting any safeguards, that would not be proper. The CSP vehicles or the vehicles transacting business with CSP are no doubt entitled to use the public road along with all others. However, such users must be reasonable. Such a user must not virtually ease out other commuters on the public roads. Such a user must not place undue and disproportionate stress on the road infrastructure.

15. Ultimately, CSP is using such roads for its commercial ventures. There may be nothing wrong with such a reasonable user. But a disproportionate or inequitable user puts great stress on ordinary commuters of such public roads. Ultimately, such public roads are built and maintained through the taxpayers' funds. Therefore, all that we say is that there must be an equitable user of such roads, particularly by industries established for commercial gains.

16. The General Manager, District Industries Centre, Chaibasa, has filed an affidavit in this matter and annexed a status report. This report observes that the roads in the vicinity of CSP, i.e. NH-220, as a branch of NH-20, remain heavily burdened due to their limited width and high traffic volume. The report refers to raw materials from the mining belts of Noamundi, Kiriburu, and adjoining areas being transported through this corridor to various units across the Kolhan region. The report, no doubt, suggests that the resulting congestion is not attributable only to CSP or CSP vehicles but is a cumulative effect of regional industrial activity. The report also states that a parking area of approximately 20 acres has now been developed within the precincts of CSP, and that this developed area has the potential to accommodate about 800 to 1000 vehicles. There is a statement that this area includes functional facilities for rest, sanitation and food outlets.

17. The report concludes by offering several suggestions for systemic upgrades, including

- (a) *Widening of existing roads and construction of dividers;*
- (b) *Creation of designated heavy-vehicle parking zones;*
- (c) *Enhanced street lighting and speed-monitoring devices;*

18. Based on the materials on record, we are of the view that the suggestions contained in the report of the General Manager, District Industries Centre, Chaibasa merit due consideration by the respondents, particularly in the context of the traffic issues highlighted by the petitioners and, to a considerable extent, acknowledged by the respondents. The said suggestions, if appropriately examined and acted upon, have the potential to substantially address the concerns raised in the present petition.

19. The petitioners have also referred to the inadequate medical facilities, which affect not only the workers of CSP but also members of the public who are victims of road accidents. The General Manager's report also suggests establishing a *Trauma Centre* near the national highways in the region to address this issue.

20. As noted earlier, right to health is an essential facet of Article 21 of the Constitution. Due to executive neglect or inaction, this right cannot be defeated. Having accepted the gaps in providing adequate medical facilities in the region, the State cannot say that it would do nothing in the matter or take no steps to address this serious issue.

21. The record shows that the Government Primary Health Centre is functional, approximately 1 km from CSP. This health centre can provide only basic first aid facilities. There is a Community Health Centre (CHC) providing secondary-level care at Rajnagar. But the same is almost about *12 (Twelve) Kilometres* away.

22. In our opinion, the above facilities are hardly sufficient to redress the grievances highlighted in this petition. Considering the volume of traffic and the width of the roads in the regions, it is necessary for the respondents to ensure that adequate medical facilities to treat accident trauma cases are available in the vicinity and at a reasonable distance. Even the CSP should be approached to contribute to such a facility as a part of its Corporate Social Responsibility (CSR) activities.

23. The affidavits filed on record do speak about the parking facilities now provided within the CSP premises. However, the respondents must keep proper vigilance and compliance, including, more particularly, the statutory compliance. It is their duty to ensure that the CSP provides proper parking facilities within its campus so that public roads are not disproportionately used for parking heavy vehicles belonging to the CSP or transacting business with the CSP.

24. Accordingly, we dispose of this petition by issuing the following directions: -

- (i) The Respondent No. 2 – Principal Secretary, Department of Industries, Government of Jharkhand, shall ensure strict enforcement of Rule 41 of the Jharkhand Building Bye-laws, 2016, and shall take all necessary measures to ensure that adequate internal parking facilities are effectively utilized within the premises of the Chaliyama Steel Plant (CSP), so that public roads are not used for unauthorized parking of heavy vehicles;
- (ii) The Respondent No. 2 – Principal Secretary, Department of Industries, Government of Jharkhand, shall consider and take a reasoned decision on the report submitted by the

General Manager, District Industries Centre, Chaibasa, within a period of three (03) months from today and, if any measures are approved pursuant thereto, the same shall be implemented in accordance with law within a period of 12 months from today.

- (iii) The Respondent-State authorities, in coordination with the concerned district administration and police authorities, shall ensure that no heavy vehicles connected with CSP are permitted to occupy public roads in a manner that obstructs the free and equitable flow of traffic.
- (iv) The Respondent-State authorities shall also coordinate with the competent authorities, including the National Highways Authority, to ensure the upgradation and regulation of the concerned highway stretches, including the installation of street lighting, speed-monitoring mechanisms, and traffic control systems.
- (v) The Respondent-State authorities shall identify and develop designated heavy vehicle parking and holding zones in the vicinity of the CSP and along the affected highway corridor, within a period not exceeding eighteen (18) months from today.
- (vi) The Respondent No. 3 – Principal Secretary, Department of Health, Medical Education & Family Welfare, shall, upon consideration of the report submitted by the General Manager, District Industries Centre, Chaibasa, take a policy decision within a period of three (03) months from today regarding the establishment and operationalisation of

adequate emergency medical and trauma care facilities in the vicinity of the CSP and the affected highway corridor;

- (vii) While taking such a decision, the State shall also explore the possibility of participation of CSP under its Corporate Social Responsibility (CSR) obligations for strengthening such medical infrastructure.
- (viii) If a decision is taken, the approved medical facilities shall be established and made functional within a period not exceeding eighteen (18) months from today.
- (ix) The Superintendent of Police, Chaibasa, along with other competent authorities, shall ensure strict enforcement of traffic regulations, including prevention of unauthorised roadside parking by heavy vehicles and installation of appropriate monitoring mechanisms.
- (x) Continuous vigilance shall be maintained to ensure that public roads are not subjected to disproportionate or hazardous use by industrial traffic.
- (xi) The Principal Secretary, Department of Industries, Government of Jharkhand, in coordination with other officials referred to above, shall file a comprehensive compliance affidavit before this Court within a period of six (06) months, indicating the steps taken in furtherance of the above directions, after furnishing a copy to the learned counsel for the petitioners.

25. It is clarified that the above directions are issued in furtherance of statutory compliance and shall not preclude the authorities from taking any additional measures in accordance with law.

26. Pending I.As., if any, will not survive and are disposed of. All concerned must act on an authenticated copy of this judgment and order.

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

(Rajesh Shankar, J.)

16.04.2026

A.F.R.

APK

Uploaded on 16.04.2026