

Bala Ankaiah @ Bala Ankesh **Petitioner**

Versus

The State of Jharkhand & Anr. **Respondents**

For the Petitioner : Mr. Ankit Vishal, Advocate
For the State : Mr. Manoj Kumar, G.A.-III

1. It has been submitted by the learned counsel for the petitioner that the petitioner has been assigned the work in the forest area by the Jharkhand Urban Infrastructure Development Company Limited (JUIDCO), which is a State Government's undertaking company. Reference has been made to the Section 3B of the Forest (Conservation) Act, 1980, which reads as under:-

—

Provided that nothing contained in this sub-section shall render the head of the department or any person referred to in clause (b), liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

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(1), where an offence punishable under the Act has been committed by a department of Government or any authority referred to in clause (b) of sub-section (1) and it is proved that the offence has been committed with the consent or connivance of; or is attributable to any neglect on the part of any officer, other than the head of the department, or in the case of an authority, any person other than the persons referred to in clause (b) of sub-section (1), such officer or persons shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.”

2. Learned counsel for the State is directed to file response regarding the above submission.
3. As prayed for, put up this case on 15.05.2024.

(Rajesh Kumar, J.)

Chandan/-