

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P. (PIL) No. 2049 of 2023

Swapan Singh Deo, S/o Mukutaram Singhdeo, R/o Village-Main Road, Railway Engineer Colony, Dadanagar, Jamshedpur, P.O. & P.S.-Khasmahal, District-East Singhbhum, Jharkhand

..... Petitioner

Versus

1. The State of Jharkhand
2. Secretary, Urban Development and Housing Department, Ranchi
3. Deputy Commissioner, Jamshedpur, East Singhbhum
4. Director, State Urban Development Agency, Ranchi
5. Union of India, through the Director, Central Bureau of Investigation, New Delhi
6. Chakulia Nagar Panchayat, through its Chief Executive Officer, Chakulia, East Singhbhum
7. Pioneer, MSWM Chakulia Private Limited, through its Director

..... Respondents

CORAM

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner:	Mr. A.K. Das, Advocate
For the Res.-State:	Mr. Piyush Chitresh, A.C. to A.G.
For the Res. No. 7:	Mr. Ashish Kumar Thakur, Advocate

36/06.04.2026

1. Heard learned counsel for the parties.
2. This writ petition, filed in purported public interest, seeks the following substantive reliefs:

"a) For issuance of appropriate writ(s)/ order(s)/direction(s) directing the concerned respondents- to conduct inquiry into the corruption, irregularities and embezzlement of public money committed in construction of Solid Waste Management, Brick Making Machine Plant, Compost Plant Shed, etc. in relation to the NIT-UDD/NPC.05/453/2017-18 floated by Chakuliya Nagar Panchayat.

b) For issuance of appropriate writ(s)/ order(s)/direction(s) directing the respondent no. 5 to conduct an investigation into the corruption, irregularities and embezzlement of public money committed in construction of Solid Waste

Management, Brick Making Machine Plant, Compost Plant Shed, etc. in relation to the NIT-UDD/NPC.05/453/2017-18 floated by Chakuliya Nagar Panchayat.”

3. Mr. A.K. Das, learned counsel for the petitioner, however, submits that the petitioner’s main interest is to ensure that the solid waste management plant, brick making machine plant, compost plant shed etc. are fully operational and deal with the solid management issues that arise at Chakulia Nagar Panchayat.
4. The pleadings alleging corruption, irregularities and embezzlement of public money are quite vague, and the direction to conduct an investigation into such matters is more in the nature of seeking a roving inquiry. Therefore, rightly, this writ petition was now restricted to ensure that the solid waste management plant etc. is functional for the purposes for which it was installed or established.
5. This Court, from time to time, passed several orders to ascertain the status of the functionality of the said plant. Based on those orders, several steps appear to have been taken regarding the functioning of the said plant.
6. Mr Piyush Chitresh, learned A.C. to A.G. and Mr Ashish Kumar Thakur, learned counsel for the respondent No. 7 (the party who has established the plant), submit that the plant is fully functional, except for the brick-making machine component. They submit that the plant is to operate over a period of 20 years, and at present, the nature of raw material/waste collected from the Nagar Panchayat area is insufficient for casting bricks. However, they submit that the plant is otherwise fully functional, and this Panchayat has also received awards from neutral agencies on the subject of solid waste management.

7. The above contentions are disputed by Mr A.K. Das, learned counsel for the petitioner. He submits that the plant is not functional and merely stating that some solid waste is collected from the Nagar Panchayat area does not mean that the plant is functioning at its optimal capacity or even otherwise.
8. The rival contentions now fall for our determination.
9. Since there were allegations of the plant's non-functioning, the Secretary, D.L.S.A., East Singhbhum, at Jamshedpur, was requested to visit the plant and submit a report.
10. The Secretary has filed two reports on record. The first one, dated 07.05.2025, reports that on the date of the visit, the plant was not functional.
11. The respondent No. 7, by filing an affidavit, has explained that on the day prior to the inspection, some miscreants damaged the power supply line, as a result of which the plant was not functional on the date of the inspection.
12. At this stage, we are not inclined to go into such disputes because the Secretary, D.L.S.A., East Singhbhum, at Jamshedpur, was once again requested to visit the site after a few days and report on the plant's functionality. The Secretary, D.L.S.A., East Singhbhum, at Jamshedpur, has filed another report on 17.08.2025, which suggests that the plant, except for the brick-making machine, was functional. However, since the report was rather tentative and had highlighted some aspects, we directed the Deputy Commissioner, East Singhbhum, to file an affidavit regarding the plant's operational status.
13. The Executive Officer, Nagar Panchayat, Chakulia has filed an affidavit on 08.01.2026. In this affidavit, details have been provided regarding the collection of solid waste from 2023 onwards. It is

stated that in 2023, the average monthly collection of solid waste was 170-190 tonnes; in 2024, 220-250 tonnes; and in 2025, 210-300 tonnes.

14. This affidavit could have provided clearer, more detailed information. However, we think there was a problem because the Deputy Commissioner, East Singhbhum, who was directed to file the affidavit, simply delegated his work to the Chief Executive Officer. We again find that the officers, who were directed to file the affidavits, shirk their responsibilities and pass the work on to other officials.
15. However, in this case, we are satisfied that the Chief Executive Officer's affidavit has to be considered along with the affidavit filed by Shri Avishek Singh on behalf of the respondent No. 7. This affidavit, dated 01.09.2025, is fairly detailed. It states affirmatively that the plant is functional while admitting that the brick-making machine is non-functional. Reasons why the brick-making machine is not functional have also been set out in the affidavit.
16. The affidavit filed on behalf of the respondent No. 7 refers to the staff engaged for the operation of the plant, the power supply arrangements, the transport arrangements, etc. Contemporaneous documents have also been annexed with the affidavit.
17. The affidavit also states that the Chakulia Nagar Panchayat surveyed the facility's functioning and prepared a performance evaluation sheet for July, 2025, which shows that the level achieved is 84.07%. There is also a reference to 'Swachh Survekshan' conducted by the Ministry of Housing and Urban Affairs, Government of India. This pleads that, after evaluating the plant's functioning, the survey has ranked Chakulia Nagar Panchayat third in the State of Jharkhand.

18. As regards the brick-making machine, we refer to paragraph No. 14 of the affidavit, which reads as follows:

"14. That it is stated that the work and function of the entire facility depends upon the nature and amount of waste collected, the waste collected/the raw material (from which brick could be made) from the city is not enough to operate the brick making machine, as such the fact that the brick making machine is not functional, is admitted. However it is to submit that the same is not on account of inaction of the deponent rather the same is not functional on account of non-availability of raw material. It is also to state that the unit has been set up to serve the city for the next 20 years and on account of foresight this machine has been set up and if such raw material is made available to the deponent, the brick making machine would be also put to action."

19. If the affidavits filed on behalf of the respondents and the materials placed along with them are perused, we cannot conclude that the solid waste management plant is not at all functional. There may be some difficulties, but it cannot be assumed that the authorities or the plant operators are not alert to the same or are not interested in addressing it.
20. Since this writ petition was confined to the functioning of the solid waste management plant and its various components, we dispose of the same after taking cognisance of the statements made in the affidavits filed on behalf of the authorities and the respondent No. 7 to the effect that the plant is operational and functional.
21. Mr Piyush Chitresh, learned counsel for the respondent-State, and Mr Ashish Kumar Thakur, learned counsel for the respondent No.7,

have assured this Court that further steps would be taken to ensure that this plant functions at its optimal capacity.

22. Accordingly, for the above reasons, we dispose of this writ petition without any order for costs. The interlocutory application, if any, is pending, will not survive after the disposal of this writ petition, and the same is hereby disposed of.

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

(RAJESH SHANKAR, J.)

06.04.2026
Satish/Vikas/
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