

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P (PIL) No. 2593 of 2014

The Court On Its Own Motion

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Petitioner

Versus

1. The State of Jharkhand represented by the Chief Secretary, Govt. of Jharkhand, Ranchi
2. The Secretary, Social Welfare Department, Government of Jharkhand, Ranchi.
3. The Deputy Commissioner, Hazaribagh

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Respondents

CORAM:

HON'BLE THE CHIEF JUSTICE.
HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

Order No.1

Dated the 15th May, 2014

1. The news item published in the daily English newspaper "Hindustan Times", Sunday, Ranchi, 4th May, 2014 ***"Birhor Tribals living without roof in Hazaribagh"*** reflects an issue as to how the primitive Birhor Tribals, who lives in different districts of Hazaribagh are passing their days without a roof above their heads. They mainly reside in Ichak , Choparan, Sadar, Churchu and Katkamsandi blocs and total nearly 3000 in population. To rehabilitate them, the government had given them houses near the block district headquarters around 15 years ago, but those houses were substandard and the condition worsened during rains every years. Since the roofs of most of the houses have been destroyed, they are protecting themselves from sun and rain by fixing their broken roofs and walls with tree branches and twigs. They were demanding pucca

houses from the local administration for a year but nothing has been done.

2. In the above English daily, it is further reported that the Deputy Commissioner of Hazaribagh through his Block Development Officer had requested the Birhors to submit fresh applications for houses and after receiving the applications the housing plan will be sanctioned.

3. Birhors live in oblivion of their basic rights of drinking water, health, nutrition and sanitation and are unable to express their feeling before society. It is not known whether the benefit of various development schemes of Government have been extended to them or not. They have not been brought at the level of development rather they are far away from the mainstream of the nation. As a result, they are still backward educationally and economically. The origin of Birhor Tribes can be traced back to primitive times but now they are on the verge of extinction.

4. This Court is constrained to take suo motu cognizance on the above news item published in Hindustan Time. Let it be registered as writ petition under the caption "Public Interest Litigation" i.e. W.P.(PIL).

5. The respondents are directed to file their response, informing the Court :

- (i) Regarding the Policy formulated by the State Government for rehabilitation of Birhor Tribals;
- (ii) Regarding the measures taken to provide drinking water, health, nutrition and sanitation to the Birhor

3.

Tribals;

(ii) Regarding allocation of funds and also the measures taken to provide houses to the Birhor Tribals, who are reported to have been living without roof in the Block of Hazaribagh district.

6. On behalf of the respondents, Mr. Rajesh Kumar, learned Government Pleader No.V takes notice and request time for getting instruction and filing the status report.

7. Post this matter on 26th June, 2014.

8. The Registry is directed to furnish a copy of the newspaper clipping and also the order of this Court to Mr. Rajesh Kumar, learned G.P.V.

(R. Banumathi, C.J.)

(Shree Chandrashekhar, J.)

G.Jha/