



## Illegal Iron Ore Stockyards Back in the Spotlight



The Supreme Court of India has directed Karnataka State Pollution Control Board to re initiate criminal proceedings against a few persons who had allegedly set up iron ore stockyards illegally at various places in Uttara Kannada district in 2005-06 and for failing to adhere to pollution control norms.

The court issued the directions after finding procedural fault with the process in which criminal prosecution against P. Parimala, DY Mane, Vivek Hebbbar and Musheer Ahmed was launched in April 2006 for violating provisions of the Air (Prevention and Control of Pollution) Act, 1981.

In its recent verdict, a Bench of the apex court comprising Justice JS Khehar and Justice SA Bobde found that a judicial magistrate had taken cognisance of complaints filed by the regional deputy environmental officer, Karwar, who was given authorisation by the chairman of the KSPCB.

The court, however, held that the Act empowers only the board or officers authorised by it to file criminal complaints under Section 43 of the Act. Noticing that the board, through a notification issued in 1989, had delegated such powers only to its chairman, the court found that the KSPCB chairman had no power to authorise the regional officer to lodge a complaint.

Though the court set aside complaints lodged before the Judicial Magistrate, First Class-II, Karwar, in 2006, it asked the KSPCB to re-initiate the criminal complaints, as per the provisions of the Act, as the earlier complaints were set aside merely based on technical reasons and not on merit.

## Coal Scam : Charges Framed against Rathi Steel

A special court on framed charges against Delhi-based Rathi Steel & Power Ltd. Rathi Steel & Powered three of its top officials in a case related to the coal blocks allocation scam. "Charges are framed under sections 120B read with 420 of IPC against all the four accused. Charge under section 420 of IPC is made out against RSPL and accused Udit Rathi. All the accused plead not guilty and claim trial. Put up for admission and denial of documents on June 2," Judge Bharat Prashar of the special court of the Central Bureau of Investigation said.

The Rathi Steel top officials who face the charges are Managing Director Pradeep Rathi, Chief Executive Officer Udit Rathi and assistant general manager Kushal Aggarwal. The case pertains to alleged irregularities in allocation of Kesla North coal block in Chhattisgarh to Rathi Steel. The accused were charge sheeted for alleged offences under sections 120-B (criminal conspiracy) and 420 (cheating) of the Indian Penal Code . During the arguments on framing of charges in the case, all the accused had contended that CBI has "miserably" failed to show that there was a loss to the government or anybody else due to the allocation of coal block to RSPL.

The defence counsel had said, the accused firm has not extracted any coal from the Kesla north block and there was no wrongful gain or corresponding loss to anybody. He had argued that prima facie offences of cheating and criminal conspiracy were not made out against the accused. CBI, however, had countered their submissions saying RSPL and its officials had "misrepresented" facts before the 36th screening committee regarding acquisition of 250 acres of land to acquire the coal block.

The three individual accused were earlier granted bail by the court after they had appeared before it pursuant to the summons issued against them. CBI had charge sheeted



RSPL and Udit Rathi only as an accused for the alleged offences of criminal conspiracy and cheating. RSPL was allocated Kesla North coal block in Korba, Chhattisgarh on August 5, 2008. After consideration of charge sheet, the court had issued summons to all four accused, including Pradeep Rathi and Kushal Aggarwal.

The court had issued summons to the accused while observing that they allegedly deceived the Ministry of Coal by "misrepresenting" facts regarding possession of land which was a key factor in allocation of coal block. It had noted that these officials had appeared before the screening committee for making a presentation and submitting a feedback form on February 7, 2008 on behalf of RSPL. CBI had lodged an FIR against Rathi Steel, its directors, Udit Rathi and members of the 36th screening committee and other unnamed persons for the offences under sections 120-B, 420 of IPC and under Prevention of Corruption Act. A charge sheet was later filed against Rathi Steel and Udit Rathi only. Regarding other directors or members of the 36th screening committee, CBI had said allegations against them could not be substantiated during the probe

JOIN US **Steelworld**



To Get More Updates On

**Iron and Steel Industry**

Use the below Link & Like the Page

<https://www.facebook.com/pages/Steelworld/621590691216613>

To Know the Inside of Industry

<http://steelworldblog.wordpress.com/>