

Supreme Court of India

Krishna Mohan Shukla vs Union Of India And Ors. on 12 October, 1995

Equivalent citations: 1995 (6) SCALE 410, (2000) 10 SCC 507

Bench: A I A.M., B Hansaria, S Sen

ORDER

1. We have perused the report submitted by the Welfare Commissioner Mr. Justice S.B. Sakrikar dated 27th September, 1995. We have also perused the averments made in the pleadings of the parties and heard counsel. We think that a sufficiently long time has elapsed and yet the victims of the Gas Tragedy are still struggling to get the compensation. In fact realising the difficulty that they were facing, we had by our order dated 12th May, 1995 directed that compensation in the sum of Rs. 25,000/- may be made in death cases provided the criteria mentioned in the order was satisfied to exclude bogus claims. We had also clarified that the interim relief which was payable to the legal representatives of the deceased at the rate of Rs. 750/- per month will not be stopped on the payment of this relief. We had also permitted the authorities to withdraw a sum of Rs. 100 crores for disbursing this interim compensation at the rate of Rs. 25,000/- and in some other cases interim relief granted pursuant to the earlier order is being deducted from the sum of Rs. 25,000/- notwithstanding a clear direction to the contrary. In cases where persons who have died on account of the gas tragedy are not difficult to identify, 'compensation could be paid to them without loss of time. Even in cases where serious injuries are caused, non-payment of compensation may add to their miseries because they may find it difficult to provide for the treatment of the ailment suffered on account of the tragedy. In order that this Court may have a clear idea about the state of affairs we have deemed it necessary to appoint a small Committee to visit Bhopal, examine the facts and submit a status report to this Court to enable this Court to give further directions in the matter. We, therefore, direct that the Supreme Court Legal Aid Committee will set up a team under the Secretary of the Committee with two more lawyers who will, forthwith, visit Bhopal, carry out the Court's direction and submit a status report to this Court keeping in mind the allegations and counter allegations made in this petition. We would appreciate an early report to this Court. Let the matter come up after four weeks. A copy of this order to be given to Mr. Ranjit Kumar, Secretary of the Legal Aid Committee for necessary action. A separate set of paper books will be taken out by the Registry and supplied to the Secretary, Legal Aid Committee to facilitate the task entrusted to the Committee.