

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 2681 OF 2007

KRANTI Appellant (s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)
(With office report)
(for final disposal)

Date: 30/10/2012 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Appellant(s) Mr.Colin Gonsalves, Sr.Adv.
Mr.Shamik Narain, Adv.
Mr.Alezo Kire, Adv.
For Ms.Jyoti Mendiratta,Adv.

For Respondent(s) Mr.J.S.Attri, Sr.Adv.
Mrs.Asha G.Nair, Adv.
Ms.B.Sunita Rao, Adv.
Ms.Priyanka Bharioke, Adv.
Ms.Anita Bafna, Adv.
For Mr. D.S. Mahra,Adv.

UPON hearing counsel the Court made the following
O R D E R

On the last date of hearing, we had directed the learned senior counsel appearing for the appellant to indicate the directions that are required to be issued to the respondents/Union of India. Pursuant to the direction so issued, they have now prepared a list of 15 priorities to be attended immediately by the Union of India. The directions sought by the appellant read as under :

1. Shelters yet unallotted shall be allotted or handed over to the victims, completed in all respects including (i)removal of leakages; (ii)removal of deficiencies in structures; (iii)construction of proper drainage; (iv)with provisions for drinking water and electricity supply; (v)removal of garbage and proper sanitation within one month from today.
2. Lok Adalat orders concerning (i)payment of compensation; and (ii)compensation for hoodies, not yet complied with shall be so complied with by the administration within one month from today.
3. Compensation shall be paid for in all cases where the joint report indicates non-payment. In cases of any dispute, the matter shall be taken up by the Lok Adalat whose decision shall be final.
4. The problem of land sliding, caving in of retaining walls, major cracks in the streets, construction of streets, uncovered drainages, faulty septic tanks, and defective electrical wiring in street lights shall be corrected within 2 months from today.
5. Farmers who have lost their lands as they were submerged in the

- tsunami shall get the benefits of all the rehabilitation schemes of the government.
6. Antyodaya Anna Yojana (AAY) cards that are yet to be distributed in accordance with the order of the Supreme Court dated 2.5.2003 in PUCV Vs. Union of India (W.P.(c)No.196 of 2001), shall be so distributed within 3 months from today. BPL ration cards shall be provided to those victims who have been provided APL ration cards.
 7. MNREGA work shall be provided with immediate effect.
 8. Army be directed to provide passages through their lands to the sea.
 9. The schools, health sub-centers and veterinary clinics (with adequate medicines), Anganwadi centers and cold storage for the storage of fish that are required to be constructed/established/repared shall be so repaired/constructed/established and made functional within 3 months from today.
 10. Jetties shall be constructed/repared within 3 months from today and transport facility should be improved by increasing frequency of state transport service buses.
 11. LPG connections that have not yet been provided, shall be provided within a month.
 12. Shops be constructed and allotted within 3 months from today.
 13. Directions shall be given to ANI administration to allow the residents of permanent shelters to develop kitchen gardens.
 14. Damaged fiber boats provided to the fishermen shall be replaced with wooden boats within 3 months from today.
 15. The pending cases against the peaceful protesters protesting against poor construction and for speedy construction of shelters shall be withdrawn.

Insofar as afore-stated Item Nos.2,3,5,6,7,8,11,13 and 14 afore-stated are concerned, Shri J.S.Attri, learned senior counsel, on instructions, would submit that the Union of India shall comply with those requests/demands within a month's time from today. Request of the learned senior counsel appears to be reasonable, and if it is granted, in our opinion, would not cause prejudice to the appellant in any manner whatsoever. Therefore, we now direct the Union of India to comply with directions/requests as afore-stated in item nos.2,3,5,6,7,8,11,13 and 14 within a month's time from today.

Insofar as item nos.1,4,9, 10 and 12 are concerned, the learned senior counsel requests for grant of at least four months' time to attend to those requests. Again, in our opinion, the request appears to be reasonable and, therefore, the same is granted.

Insofar as item no.15 is concerned, the learned senior counsel would inform us about the effect of the aforesaid request made by the appellant after obtaining appropriate instructions from the respondents.

Call the matter after four months.

(G.V.Ramana)
Court Master

(Vinod Kulvi)
Court Master