

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Item No.19 :

Petition(s) for Special Leave to Appeal (C)No...../2017
(CC No(s).25105/2016)

(Arising out of impugned final judgment and order dated 18/07/2016 in WP No.3435/2015 and dated 05/10/2016 in RP No.247/2016 passed by the High Court Of M.P. At Indore)

JAGRIT ADIVASI DALIT SANGHATAN

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH AND ORS.

Respondent(s)

(With appln.(s) for c/delay in filing SLP and office report)

Item No.31 :

SLP(C)No...../2017 (CC No.255/2017)

(With appln.(s) for c/delay in filing SLP and c/delay in refiling SLP)

Date : 05/01/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE N.V. RAMANA

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

For Petitioner(s) Mr. Sanjay Parikh,Adv.
Ms. Ninni Susan Thomas,Adv.
Ms. Anitha Shenoy,Adv.
Ms. Surabhi Aggarwal,Adv.

For Respondent(s) Mr. C.D. Singh,Adv.
Ms. Sakshi Kakkar,Adv.

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

Delay condoned.

Having given our thoughtful consideration to the submissions advanced at the hands of the Jagrit Adivasi Dalit Sanghatan, as also by the State Government, we are of the view, that the impugned order calls for no interference.

We are, however, satisfied in recording certain clarifications.

It is accordingly clarified, that the compensation of Rs.50,000/- (Rupees Fifty Thousand only) per family, as determined by the impugned order dated 18th July, 2016, shall be deemed to be an *ad-hoc* compensation as an interim measure, so as to render immediate financial assistance to the affected families.

We are also satisfied, that the constitution of the Grievances Redressal Authority at the hands of the High Court would be beneficial for rival parties, in the sense, that a well reasoned order would be available, determining the compensation (if at all) payable to the concerned families. We wish to clarify, that rather than the constitution of a single Grievances Redressal Authority (a Retired District Judge), we are of the view, that keeping in mind the tentative number of families involved (235 only), it would be appropriate to constitute three Grievances Redressal Authorities by nominating three Retired District Judges, from the State of Madhya Pradesh, to ensure expeditious disposal of the claim applications.

It is also clarified, that it would be open to the Grievances Redressal Authorities, to determine compensation under the scheme which would be most beneficial to the affected families. However, before a decision is taken, the Grievances Redressal Committee shall record its reasons for choosing one or the other scheme.

We are also of the view, that it needs to be clarified that it would be open to the Grievances Redressal Authorities, to grant more compensation than what may be contemplated, under the 2002/2008 policies, keeping in mind the escalation of the 'consumer price level index'.

The State Government shall constitute the above three Grievances Redressal Committees within two weeks from today. The above Committees, will dispose of the claims filed before them within three months of their being filed.

Needless to mention, that if the *ad-hoc* compensation determined in the impugned judgment has not been released to the affected families, the same shall be released to them, within two weeks from the date of receipt of this order.

The special leave petitions as well as pending applications are disposed of in the above terms.

(Sarita Purohit)
Court Master

(Renuka Sadana)
Assistant Registrar