

ITEM NO.20

COURT NO.6

SECTION PIL-W

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

Miscellaneous Application No. 1417/2022 in W.P.(C) No. 539/2021

(Arising out of impugned final judgment and order dated 30-06-2021 in W.P.(C) No. 539/2021 passed by the Supreme Court Of India)

GAURAV KUMAR BANSAL

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No.118335/2022-EXEMPTION FROM FILING AFFIDAVIT and IA No.118334/2022-APPROPRIATE ORDERS/DIRECTIONS)

Date : 14-10-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Petitioner-in-person

For Respondent(s) Dr. Manish Singhvi, Sr Adv
Rajashtan Mr. Arpit Parkash Adv
 Mr. Vikalp Sharma, Adv
 Mr. Sandeep Kumar Jha, AOR

Mr. Tushar Mehta, Ld. SG
Mr. K.M. Nataraj, Ld. ASG
Ms. Aishwarya Bhati, Ld. ASG
Mr. Vikramjit Banerjee, Ld. ASG
Mr. Rajat Nair, Adv
Mr. Amit Sharma, Adv
Mr. Sugosh Subramanyam, Adv
Ms. Preeti Rani, Adv
Mr. Vatsal Joshi, Adv.
Mr. Siddharth Sinha, Adv.
Mr. Raman Yadav, Adv.
Mr. Nakul Chengappa K.K., Adv.
Mr. G.S. Makker, AOR
Mr. Arvind Kumar Sharma, AOR

Andhra Pradesh

Mr. Mahfooz A. Nazki, AOR
Mr. Polanki Gowtham, Adv
Mr. Shaik Mohamad Haneef, Adv

Mr. T. Vijaya Bhaskar Reddy, Adv
Mr. K.V. Girish Chowdary, Adv
Ms. Rajeswari Mukherjee, Adv
Ms. Niti Richhariya, Adv

Haryana

Mr. B.K. Satija, AOR
Mr. Rahul Khurana, Adv.

Odisha

Mr. Rajesh Kumar Nayak, Adv.
Mr. Sibho Sankar Mishra, AOR

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

An affidavit dated 12.10.2022 is filed on behalf of the State of Rajasthan, affirmed by Dr. Praveen Aswal, State Nodal Officer (IDSP), Directorate of Medical And Health Services, Jaipur, Rajasthan. In the affidavit, it is pointed out of total 718 applications received with respect to orphan children which are uploaded on the website on the 'Bal Swaraj Portal', 213 applications are with respect to the orphan children who became orphan due to COVID-19.

It is pointed that out of the aforesaid 213 applications, 191 children have been paid *ex-gratia* payment. It is further pointed out in the affidavit, that out of total 24,421 applications received for compensation due to the death because of COVID-19, 1773 applications are rejected and 757 applications are yet pending for payment.

It is further reported that 1783 applications are pending at the 'citizen level' and 194 applications are pending at the 'office level'. It is reported that so

far as the rejected applications are concerned, it is further stated in the affidavit that so far as the suicidal deaths are concerned at district level, 9077 applications were received out of which 515 applications are pending, 8047 applications are sanctioned and 479 applications are rejected.

We direct the Nodal Agency/State of Rajasthan to furnish all full particulars with respect to the rejected applications, with respect to the deaths caused due to COVID-19 and out of the suicidal deaths caused by COVID-19. The aforesaid particulars to be furnished to the Rajasthan State Legal Services Authority within a period of two weeks from today. On such receipt, the Member Secretary, Rajasthan State Legal Services Authority is directed to look into all those rejected applications and take an appropriate decision in consultation with the State Government/State Authorities and the concerned applicants within a period of four weeks thereafter.

Whichever applications are decided in favour of the applicants, the State government is directed to make the payment within a period of three weeks thereafter, without fail. So far as the pending applications including the applications pending for payment are concerned, the State of Rajasthan is hereby directed to decide/finalize all the pending applications within a period of three weeks from today and to make the payment to the applicants considering the observations made by us

in our earlier orders.

So far as the orphan children are concerned, the State is directed to make the payment to the remaining applicants whose parents/family members have died due to COVID-19. The payment be made within a period of three weeks from today.

In view of the aforesaid, the present application stands disposed of. Pending application(s), if any, shall also stand disposed of.

(Geeta Ahuja)
Asth. Registrar-Cum-PS

(Nisha Tripathi)
Assistant Registrar