

**IN THE HIGH COURT OF MADHYA PRADESH AT
JABALPUR**

CONC. No.832 of 2015

Jabalpur, Dated:20/02/2023

Shri N.D. Jayprakash, Co-Convener, Bhopal Gas Peedith Sangharsh Sahayog Samiti, appears in person for the petitioners.

Shri Vivek Sharma, Deputy Government Advocate General with Shri A.D. Bajpai, Government Advocate for the State.

Shri Piyush Jain, learned counsel for Monitoring Committee.

Shri K.C.Ghildiyal, Senior Advocate with Shri H.C. Singh and Shri Sanjay Sarvate, Advocates for respondent No.8 & 9.

This Court on the last occasion i.e. on 03.02.2023 had directed the Registry to draw up charges of contempt against respondent No.8 & 9.

2. Charges were drawn and sent to respondent No.8 & 9. Respondent No.8 & 9 have filed their reply to the charges. The said reply shall be considered on the next date of hearing.

3. It is also noticeable from the order of Apex Court dated 27.09.2013 passed in W.P. (Civil) No.50/1998 that while disposing of I.A. No.18-19, the Apex Court directed thus -

“We have heard learned counsel for the parties and perused the letter dated 26th September, 2013 of the Technical Director, National Informatics Centre, Ministry of Communications & Information Technology, Bhopal. The said letter is taken on record and the National Informatics Centre, Ministry of Communications & Information Technology, Bhopal is impleaded as a Respondent in these interlocutory applications. Learned counsel for the State of Madhya Pradesh will furnish the details of the newly added respondent including address.

Though a prayer has been made in I.A. No.18 for extension of time for computerization of gas relief hospitals by nine months, we are not inclined to grant the entire period of nine months for compliance. Instead, we extend the time upto 31st December, 2013 by which time the computerization of the gas relief hospitals will be completed by the applicant (State) as well as the National Informatics Centre, Bhopal.

I.A. Nos.18 and 19 stand disposed of.”

4. In view of above, it is evident that it was not only National Informatic Centre, Bhopal but also the State which were entrusted with responsibility of computerization of Gas Relief Hospitals.

5. It is pertinent to point out that learned counsel for respondent No.8 & 9 are trying to distinguish between computerization and digitization. This Court outrightly rejects the aforesaid contention since in the considered opinion of this Court, the expression ‘computerization’ includes within it’s ambit the concept of digitization of records. As such, the functionaries of the State were also equally responsible to ensure completion of computerization (including digitization) of records of BMHRC and other hospitals.

6. It is now more than ten and half years but digitization of the record has not yet been completed of all the gas victims. Accordingly, Registry is directed to draw charges of contempt

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against respondent No.4 to enable him to file reply, before the next date of hearing.

List on **17.03.2023**.

(SHEEL NAGU)
JUDGE

(VIRENDER SINGH)
JUDGE

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