



N A F R

HIGH COURT OF CHHATTISGARH, BILASPUR

WPPIL No. 23 of 2024

In The Matter Of Suo Moto Public Interest Litigation Regarding Denied Compensation Father Foreced To Borrow For 3 Year Old Victims Funeral Based On News Item Publised In Daily News Paper Dainik Bhaskar Bilaspur Bhaska Dated 25-03-2024 As Dushkarm Pidita Masum Ke Mata-Pita Aaropi Ke Pariwar Ki Dahashat Me Sirgitti Chhod Gaon Gaye, Muwavaja Nahi Mila, Udhar Me Antim Sanshkar

---- Petitioner

Versus

1. The State Of Chhattisgarh Through Chief Secretary, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, Chhattisgarh.
2. The State Of Chhattisgarh Ministry Of Home Though Principal Secretary Home Mahanadi Bhawan, Atal Nagar, Nawa Raipur Chhattisgarh.
3. State Of Chhattisgarh, Through The Secretary Woman And Child Development Department, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, Chhattisgarh.
4. Director General Of Police Police Headquarter, Sector 19, Nawa Raipur Chhattisgarh.
5. The Collector, District Bilaspur Chhattisgarh,
6. Superintendent Of Police, District Bilaspur Chhattisgarh.

---- Respondents

(Cause-title taken from Case Information System)



For Petitioner : None.

For Respondents/State : Mr. Prafull N Bharat, Advocate General with Mr. Vinay Pandey, learned Deputy Advocate General.

Hon'ble Mr. Ramesh Sinha, Chief Justice

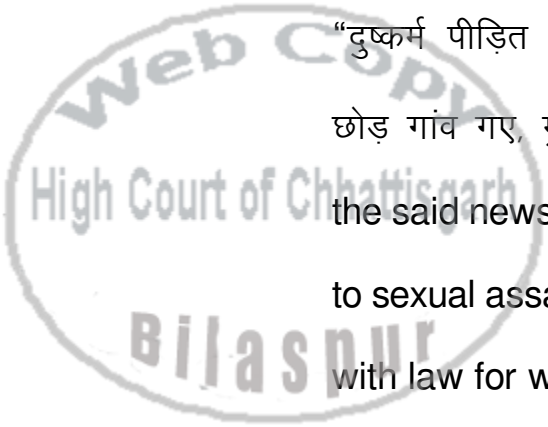
Hon'ble Mrs. Rajani Dubey, Judge

Order on Board

Per Ramesh Sinha, Chief Justice

25/04/2024

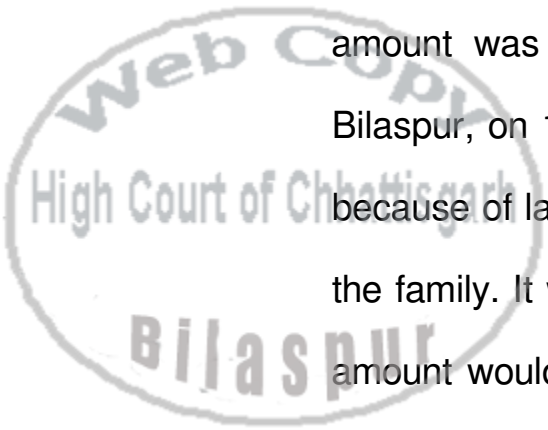
1. This is an office reference.
2. This suo-moto PIL was registered on the basis of news paper reporting published in Dainik Bhaskar on 25.03.2024 with a caption “दुष्कर्म पीड़ित मासूम के माता-पिता आरोपी के परिवार की दहशत में सिरगिटी छोड़ गांव गए, मुआवजा नहीं मिला, उधार में अंतिम संस्कार” and according to the said news report, a minor child aged about 3 years was subjected to sexual assault and thereafter was murdered by a juvenile in conflict with law for which an FIR bearing Crime No.222/2024 for the offence punishable under Section 302 of the Indian Penal Code and Section 10 of the Protection of Children from Sexual Offences Act, 2012 was registered at Police Station, Sirgitti, District Bilaspur.
3. The news reporting further stated that when the incident took, there was an outrage and protest by the people of the locality upon which the State had announced that the family of the victim would be entitled to a compensation to the tune of Rs. 10 Lacs. Immediately, Rs. 2.50 lacs was to be given and the remaining amount of Rs. 7.50 lacs was to be given after the decision in the criminal case pending against the juvenile in conflict with law. According to the news report, the parents of the victim were not given a single penny and when they





contacted the authorities for releasing the amount of Rs. 2.50 lacs, they were informed that since the officer who was looking after this case has been transferred, the new officer would join his place would look into the case and proceed further. The aforesaid news clipping further stated that for cremation of the victim, the parents had to take loan and because of fear of the family of the juvenile, they had to leave Sirgitti and to go to their village.

4. After taking cognizance of the matter by this Court on 27.03.2024, Mr. Prafull N. Bharat, learned Advocate General, assisted by Mr. Yashwant Singh Thakur, learned Additional Advocate General, appearing for the respondents/State stated that the compensation amount was sanctioned by the District Legal Services Authority, Bilaspur, on 18.03.2024 itself to the parents of the minor victim, but because of lack of formalities, the amount could not be disbursed to the family. It was assured by the learned Advocate General that the amount would be disbursed within 2-3 days. The matter was again listed on 03.04.2024 and on 05.04.2024, it was informed that the amount of Rs. 2,50,000/- was disbursed to the mother of the victim on 03.04.2024 through cheque.
5. On the said date itself, it was brought to the notice of this Court that there are several other victims who were entitled to get compensation under the *Yon Utpidan / Anya Apradhon Se Pidit Mahilaon / Uttarjiviyon Ke Liye Kshatipurti Yojna, 2018* (for short, the Scheme), however, they have not yet been paid any amount towards compensation. Accordingly, the the Registrar General of this Court was directed to seek information with respect to the aforesaid fact from the Member Secretary, Chhattisgarh State Legal Services





Authority, during course of the day and also place the same on record for consideration of this Court. Pursuant to said direction, information was furnished by the Member Secretary, Chhattisgarh State Legal Services Authority, vide communication dated 05.04.2024 and was placed before this Court which stated that as in the month of February, 2024, in 753 cases, a total amount of Rs. 26,41,00,200/- was pending for its payment. A District-wise breakup with respect to 23 Districts was also submitted in a tabular form. The report further went to state that because of lack of allotment of fund, the payments could not be made to the victims/family members of the victim. As such, the learned Advocate General was directed to seek necessary instructions and the matter was directed to be listed today.

6. When the matter was taken up today, Mr. Prafull N Bharat, learned Advocate General states that the State of Chhattisgarh has allotted a sum of Rs. 26,41,00,200/- vide order No. F3-01/2024/Home-II, Nawa Raipur, Atal Nagar, dated 23.04.2024 addressed to the Member Secretary, Chhattisgarh State Legal Services Authority, Bilaspur. He has supplied a copy of the letter dated 23.04.2024, which is taken on record. He further submits that now that the amount has been sanctioned, the same may be disbursed by the competent authority to the victims/their family members.
7. In view of the above submission made by learned Advocate General, no further direction is required to be passed by this Court and as such, this case is consigned to records.

Sd/-
(Rajani Dubey)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice