

RECORD OF PROCEEDINGS

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PROFORMA FOR FIRST LISTING**SECTION**

The case pertains to (Please tick / check the correct box:

- | | | | |
|--------------------------|---------------------------------------|--|--|
| <input type="checkbox"/> | Central Act: Title) | | Under Article 32 of the Constitution of India |
| <input type="checkbox"/> | Section: | | Under Article 32 of the Constitution of India. |
| <input type="checkbox"/> | Central Rule: (Title) | | N.A. |
| <input type="checkbox"/> | Rule No(s) | | N.A. |
| <input type="checkbox"/> | State Act: | | N.A. |
| <input type="checkbox"/> | Section: | | N.A. |
| <input type="checkbox"/> | State Rule: (Title) | | N.A. |
| <input type="checkbox"/> | Rule No(s) | | N.A. |
| <input type="checkbox"/> | Impugned Interim Order: (Date) | | N.A. |
| <input type="checkbox"/> | Impugned Final Order / Decree: (Date) | | N.A. |
| <input type="checkbox"/> | High Court: (Name) | | N.A. |
| <input type="checkbox"/> | Names of Judges: | | N.A. |
| <input type="checkbox"/> | Tribunal / Authority: (Name) | | N.A. |
1. Nature of Matter Civil Criminal
2. (a) Petitioner / Appellant: HASHIK THAYIKANDY
 (b) E-mail Id: advocatedubai@gmail.com
 (c) Mobile Phone Number: 00971504941923
3. (a) Respondent No. 1: UNION OF INDIA & ORS.
 (b) E-mail Id: N.A.
 (c) Mobile Phone Number: N.A.
4. (a) Main Category Classification. 18 Ordinary Civil Matters
 (b) Sub Classification: 1807 Others
5. Not to be listed before: N.A.
6. (a) Similar disposed of matter with citation, if any, & case details:
 No similar matter has been disposed of or is pending before this

Hon'ble Court.

(b) Similar pending matter with case details:

No similar matter is pending before this Hon'ble Court.

7. Criminal Matters: N.A.

(a) Whether accused / convict has surrendered: Yes No.

(b) FIR Nos. N.A. Dates: N.A.

(c) Police Station: N.A.

(d) Sentence Awarded: N.A.

(e) Period of sentence undergone including N.A.

period of detention / custody undergone:

8. Land Acquisition Matters:

(a) Date of Section 4 notification: N.A.

(b) Date of Section 6 notification: N.A.

(c) Date of Section 17 notification: N.A.

9. Tax Matters: State the tax effect: N.A.

10. Special Category (First Petitioner / Appellant only):

Senior Citizen > 65 Years SC / ST Woman /Child

Disabled Legal Aid Case In Custody

11. Vehicle Number (in case of Motor Accident Claim Matters): N.A.

Place: New Delhi

Date: 10.07.2020

DEEPAK PRAKASH
 Advocate-on-Record
 Supreme Court of India
 8-B, 2nd Floor, Mathura Road,
 Jangpura-B, New Delhi-110014
 Code-No. 2210
 DEEPAK PRAKASH
 Advocate for the Petitioner
 Registration No. 2210
 Email: advdeepakprakash@gmail.com

SYNOPSIS

The present Writ Petition is being filed before this Hon'ble Court in the nature of a Public Interest Litigation, by the Petitioner herein, who is an eminent social activist, actively engaged in social upliftment and welfare of Indian citizen activities, especially during this global pandemic. The said petition is being filed in the interest of all the Indian citizens, residing in India and abroad who are the tax payers of our Country, primarily seeking, *inter-alia*, the urgent and kind indulgence of this Hon'ble Court to direct the Respondents herein to (i) formulate appropriate guidelines, on compassionate grounds, insofar as to provide adequate *ex-gratia* monetary compensation to the next of kin of all Indian citizens pertaining to COVID-19 related casualties/deaths, as the Union or the respective State may deem as fit and proper, especially for the financially weaker sections of the society, posthumously and also (ii) formulate a "*Compensation plan*" to provide *ex-gratia* monetary compensation, whereby highest amount of compensation must be paid to the to the kin of the casualties of essential/healthcare workers who have succumbed to COVID-19 and accordingly, for the other professions as the respective Union or State may deem as fit and proper.

At the very outset, it is hereby asserted that the present Petition is not adversarial in nature and is in essence a "*Social Action Litigation*". During these unprecedented times, this Hon'ble Court has acted as a guardian of the virtues of Human rights and has taken up numerous public-interest issues by way of Suo Moto Writ Petitions, in order to mitigate and obviate the atrocities being faced by the public at large and the present issue in hand falls under the same domain, whereby thousands

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of citizens are rendered helpless and financially deprived due to loss of the lives of their loved ones and sole earning family members by COVID-19, which is a notified “*disaster*” as defined u/s 2(d) the Disaster Management Act, 2005.

Interference of this Hon’ble Court is necessary in the present case, in the interest of justice, amongst others, on the following grounds:

1. Majority of our population belongs to financially weaker sections of the society, wherein only one person of the family is an earning member and the other members are solely dependent on the said income for their sustenance. The said citizens are also the tax payers of our Country. In such a structure, whereby the death rate is only increasing at an alarming rate per day, it is imperative for the State to formulate appropriate guidelines, on compassionate grounds, for *ex-gratia* compensation to the families of the COVID-19 casualties, especially for the front-line workers such as doctors, nurses, paramedical staff etc., solely with the purpose of aiding the families for their basic survival and sustenance during this pandemic.
2. Pertinently, the death of an Indian citizen not only impacts his/her own personal life, it affects the lives of all the members of the family who were dependent on the sole source of income. In the event of death of such a family member and while regarding the huge unemployment which COVID-19 has encompassed globally, the dependents are

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rendered helpless and in an extremely distressed situation with no finances for survival thereof.

3. Pertinently, there are various schemes which have been formulated by different authorities and individual states for compensation to COVID-19 related deaths, however, while keeping in view the current situation of our country, it is imperative to formulate a National Relief Plan u/s 11 of the National Disaster Management Act, 2005, whereby funds from National Disaster Response Fund ("NDRF") or any other existing fund can be utilized, for providing relief, in the financial aspects, especially to the financially weaker sections of the society, who have no finances for sustenance and survival means thereof, by way of compassionate compensation to the dependents of COVID-19 related deaths.
4. Moreover, the casualties and death rate due to COVID-19 is exponentially increasing with each passing hour, especially in cases of front-line workers such as police officials, doctors, para medical staff, government employees, media reporters etc., thereby rendering the whole family of the deceased in an extremely vulnerable position. Till date COVID-19 has no cure/vaccine and has been declared as a notified "disaster", thus, it is the duty of the State, on compassionate grounds, to provide relief to its citizens by adequately compensating the kin of the deceased in order to financially assist the families thereof, who are in an

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extremely vulnerable and helpless position, having suffered due to the outbreak of this deadly virus.

5. It is apposite to mention that the Respondent No. 1 along with other competent authorities and ministries have continually provided financial aid and assistance to the victims of disasters and calamities by way of *ex-gratia* compensation schemes. In the past instances such as *Tornado'1993 in West Bengal, Kutch Earthquake 2001, Tsunami, 2004*, army personnel who have died in wars etc. and even in the recent incident of "*Vizag Gas Leak*", wherein compensation from Rs. 15 lakhs to Rs. 1 crores was provided to families of the deceased based on their respective financial status.
6. Presently, in view of the devastating effect of COVID-19, numerous states have formulated guidelines for providing *ex gratia* compensation to the families of doctors/para-medical staff, police officers, government officials, teachers etc. who have succumbed to this deadly virus while being on duty. The details of a few states/Authorities who have initiated and implemented providing of financial assistance to the family members of COVID-19 casualties are as under:
 - The State of NCT of Delhi vide Government Order dated 19.04.2020, has announced a compensation in tune of Rs. 1 crore to the families of all the frontline workers.

- The Ministry of Shipping on 28.04.2020 has decided that all the Major Ports may grant compensation /Ex-Gratia in the event of loss of life due to COVID-19 to the dependent members/legal heirs of the port employees.
- The Respondent No. 1 announced ex-gratia compensation in tune of Rs. 10 Lakhs for the kin of all the postal employees, including Gramin Dak Sevaks (GDS), who died of COVID-19 while discharging their duties.
- The Ministry of Consumer Affairs, Food and Public Distribution, announced ex-gratia monetary compensation to kin of Food Corporation Of India Workers/labours. Under its provisions, during the six month period from March 24, 2020 to 23 September, 2020 if anybody dies due to COVID-19 infection while on duty with FCI, the Regular FCI Labour will get an ex-gratia of Rupees 15 lakh, Contractual Labour will be entitled to Rs.10 lakh, Category-1 Officers Rs.35 lakh, Category-2 – Rs.30 lakh and Category -3 & -4 workers – Rs.25 lakh.
- The state of Punjab has announced an ex-gratia compensation in tune of Rs. 50 Lakh to the legal heirs and kin of government employees who have succumbed to Coronavirus.

- The State of Rajasthan has decided to provide Rs. 50 Lakhs as ex-gratia compensation to the dependants of sanitation workers in case of death due to COVID-19.
- The State of Uttarakhand has announced on 04.06.2020 that the kin of those who die due to Covid-19 in the state will be given ex-gratia payment of Rs. 1 lakh.

Even though the matters like (i) the manner in which COVID-19 is combated across the country; (ii) execution of relief programs while ensuring that the benefits of the same reaches maximum number of persons etc. are a matter of policy of the Respondents herein, yet millions of Indian tax payers, residing in India or abroad are suffering due to the death of their working family member (s) because of COVID-19, which till date has no cure or vaccine. The current situation is a state of notified “*disaster*”, which enables the State to take all the appropriate measures for the relief of the distressed citizens as per the Disaster management Act, 2005. The deceased persons along with their family members are the residents of India and are the sole reason for the growth of our nation.

Further, Article 21 reads as under:

“No person shall be deprived of his life or personal liberty except according to a procedure established by law.” According to Justice Bhagwati., Article 21 “*embodies a constitutional value of supreme importance in a democratic society.*” Moreover, Iyer, J., has characterized Article 21 as “*the procedural magna carta protective of life and liberty.*”

This right has been held to be the heart of the Constitution, the most organic and progressive provision in our living constitution, the foundation of our laws.

Article 21 can only be claimed when a person is deprived of his “life” or “personal liberty” by the “State” as defined in Article 12.

Therefore, the current situation of the epidemic clearly abridges the fundamental rights of a person and therefore, financial assistance in the form of *ex-gratia* compensation is only necessitated in the interest of justice.

Thousands of citizens are involved in essential services who are sacrificing their own lives in order to save others and the others work in other sectors of employment and pay taxes, which ultimately booms our country’s development and economy annually. Thus, during such unprecedented times, wherein the existence of mankind in itself is in imminent danger, it is imperative to provide extraordinary measures of reliefs, especially a financial cover to the families of the citizens who have succumbed their lives while being on duty.

The notification of an event as a disaster enables the states to use funds from the respective “*State Disaster Response Fund*” or “*National Disaster Response Fund*”, in order to obviate the difficulties being faced by the citizens. Additionally, funds from the existing Prime minister National Relief fund and the new PM CARES Fund created on 28.03.2020 can also be used for providing financial assistance and aid to the family members of the COVID-19 casualties, which received generous donations from prominent individuals, trusts, corporations etc. The continuing sufferings of millions of families has compelled the

Petitioner to approach this Hon'ble Court by way of the present petition, with a limited prayer of providing monetary relief to the families of the deceased person, who has lost his life due to the said disaster.

Moreover, it is the duty of the state to safeguard the interest and life of its citizens, especially in circumstances wherein the services provided by people are equivalent to that of a sacrifice, whereby despite being at the risk of contracting the said deadly virus, each and every citizen is diligently working on a daily basis, in various sectors of our society to combat the said virus and stabilize the growth of our country amidst this global outbreak. The state of the world is akin to a state of emergency, being war-like in nature, therefore it is imperative to provide ex-gratia honorary monetary compensation, as a mode of a relief measure and financial assistance to those families who have lost their loved ones due to COVID-19.

This Hon'ble Court is the guardian of the conventions of the Constitution and all Indian citizens thereof, thus, in view of the welfare of millions of distressed Indian citizens/family members and dependents, belonging to the weaker section of the society and especially those who are essential workers having lost their lives due to COVID-19, the Petitioner is compelled to approach this Hon'ble Court by way of the present *pro bono* Petition to safeguard and protect the basic fundamental rights of all such Indian citizens who are now rendered helpless and having no finances for survival, due to the death of their earning family member by COVID-19.

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LIST OF DATES

- 30.01.2020 First case of COVID-19 pandemic was reported within the territory of India on 30.01.2020.
- 24.03.2020 The Central Government, in order to break the chain of transmission and thereby control the spread of the said virus, announced a 21-day National lockdown on 24.03.2020, thereby bringing the economy of the Nation to an absolute halt. The said lockdown was supposed to be in force till 14.04.2020.
- 26.03.2020 The Respondent No. 2 announced a Rs. 1.70 crore relief package under the Pradhan Mantri Garib Yojana wherein an ex-gratia monetary aid of Rs. 1,000 will be given to all poor senior citizens, widows and disabled. Moreover, an additional aid of Rs. 500 per month will be given to poor and distressed women.
- 10.04.2020 The Ministry of Consumer Affairs, Food and Public Distribution approved the proposal for grant of ex-gratia monetary compensation to 1,08,714 workers and officers of the Food Corporation of India (FCI). Under its provisions, during the six month period from March 24, 2020 to 23 September, 2020 if anybody dies due to COVID-19 infection while on duty with FCI, the Regular FCI Labor will get an ex-gratia of Rupees 15 lakh, Contractual Labour will be entitled to Rs.10 lakh, Category-1 Officers Rs.35 lakh, Category-2 – Rs.30 lakh

and Category -3 & -4 workers – Rs.25 lakh.

- 19.04.2020 The State of NCT of Delhi vide Government Order dated 19.04.2020 modified its original Order dated 07.04.2020 to a limited extent, by awarding compensation to the employees who died of COVID-19 while being on duty. It is stated therein that any person including Doctor, Nurse, Para medical staff, security/sanitation staff or any other government officer/official including Police officers, if expires by contracting the said disease, during discharge of his/her duty, shall be compensated with ex-gratia amount of rupees One Crore, posthumously.
- 27.04.2020 The State of Rajasthan announced ex-gratia compensation in tune of Rs. 50 Lakhs to the dependants of sanitation workers in case of death due to COVID-19, while discharging duties.
(<https://www.businessinsider.in/india/news/rs-50-lakh-ex-gratia-compensation-if-any-rthan-sanitation-worker-dies-of-covid-19/articleshow/75413377.cms>)
- 28.04.2020 The Ministry of Shipping announced grant of compensation /Ex-Gratia in the event of loss of life due to COVID-19 to the dependent members/legal heirs of the port employees in tune of Rs. 50 Lakhs, for Port employees and other contractual labour.
- 07.05.2020 The State of Andhra Pradesh announced Rs. 1 crore ex-gratia compensation for the kin of all the

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Vishakhapatnam Gas Leak victims.

- 10.05.2020 The Finance Department of the State of Punjab notified guidelines for ex-gratia grant of Rs. 50 lakh for dependent members/legal heirs of govt. employees, who die on duty while fighting against Covid-19.
- 04.06.2020 The State of Uttarakhand announced that the kin of those who die due to Covid-19 in the state will be given ex-gratia payment of Rs 1 lakh.
(<https://www.hindustantimes.com/india-news/uttarakhand-announces-rs-1-lakh-ex-gratia-for-kin-of-covid-19-casualties/story-G2z77dCSikE10h7tmCARSO.html>)
- 10.07.2020 Hence this Writ Petition.

**IN THE SUPREME COURT OF INDIA
ORIGINAL CIVIL JURISDICTION
WRIT PETITION (C) NO. OF 2020
(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)**

IN THE MATTER OF:

HASHIK THAYIKANDY

S/O. P.P. MUSTHAF A,

R/O. HASEENA MANZIL, ADIKADALAYI,

NEAR NOOR MASJID, P.O. ADIKADALAYI,

THOTTADA, KANNUR DISTRICT,

KERALA-670007.

PETITIONER

VERSUS

1. UNION OF INDIA
THROUGH ITS SECRETARY
MINISTRY OF HOME AFFAIRS,
NORTH BLOCK, CABINET SECRETARIAT,
RAISINA HILL, NEW DELHI-110001 RESPONDENT NO. 1
2. UNION OF INDIA,
THROUGH ITS SECRETARY
MINISTRY OF EXTERNAL AFFAIRS,
SOUTH BLOCK, CABINET SECRETARIAT,
RAISINA HILL,
NEW DELHI-110001. RESPONDENT NO. 2
3. UNION OF INDIA,
THROUGH ITS SECRETARY
MINISTRY OF FINANCE,
SOUTH BLOCK, CABINET SECRETARIAT,
RAISINA HILL, NEW DELHI-110001. RESPONDENT NO. 3
4. UNION OF INDIA,
THROUGH ITS SECRETARY,
MINISTRY OF HEALTH AND FAMILY WELFARE
NEAR UDYOG BHAWAN METRO STATION,
MAULANA AZAD ROAD,
NEW DELHI-110011. RESPONDENT NO. 4
5. UNION TERRITORY OF ANDAMAN &
NICOBAR ISLANDS
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
PORT BLAIR-744101,
ANDAMAN & NICOBAR ISLANDS
(UNION TERRITORY) RESPONDENT NO. 5
6. STATE OF ANDHRA PRADESH
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
HYDERABAD-500001,
ANDHRA PRADESH STATE. RESPONDENT NO. 6

7. STATE OF ARUNACHAL PRADESH
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
ITANAGAR-791111,
ARUNACHAL PRADESH STATE. RESPONDENT NO. 7
8. STATE OF ASSAM
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
DISPUR-781001,
ASSAM STATE. RESPONDENT NO. 8
9. STATE OF BIHAR
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
PATNA-800001,
BIHAR STATE. RESPONDENT NO. 9
10. UNION TERRITORY OF CHANDIGARH
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
CHANDIGARH-160036,
CHANDIGARH (UNION TERRITORY). RESPONDENT NO. 10
11. STATE OF CHHATTISGARH
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
RAIPUR-492001,
CHHATTISGARH STATE. RESPONDENT NO. 11
12. UNION TERRITORY OF DADAR &
NAGAR HAVELI
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
SILVASSA-396230,
DADRA & NAGAR HAVELI
(UNION TERRITORY). RESPONDENT NO. 12
13. UNION TERRITORY OF DAMAN & DIU
REPRESENTED THROUGH ITS
CHIEF SECRETARY
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DAMAN-396210,
DAMAN & DIU (UNION TERRITORY). RESPONDENT NO. 13
14. NATIONAL CAPITAL TERRITORY OF DELHI
REPRESENTED THROUGH ITS
CHIEF SECRETARY

- SECRETARIAT, INDRAPRASTHA-110002,
NEW DELHI (NATIONAL CAPITAL
TERRITORY OF DELHI) RESPONDENT NO. 14
15. STATE OF GOA
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
PANAJI-403001,
GOA STATE. RESPONDENT NO. 15
16. STATE OF GUJARAT
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
AHMEDABAD-380060,
GUJARAT STATE. RESPONDENT NO. 16
17. STATE OF HARYANA
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
CHANDIGARH-160036,
HARYANA STATE. RESPONDENT NO. 17
18. STATE OF HIMACHAL PRADESH
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
SHIMLA-171001,
HIMACHAL PRADESH STATE. RESPONDENT NO. 18
19. STATE OF JAMMU & KASHMIR
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
SRINAGAR-190001,
(SUMMER), JAMMU (WINTER)
JAMMU & KASHMIR STATE. RESPONDENT NO. 19
20. STATE OF JHARKHAND
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
RANCHI-834002
JHARKHAND STATE. RESPONDENT NO. 20
21. STATE OF KARNATAKA
REPRESENTED THROUGH ITS
CHIEF SECRETARY
VIDHAN SUDHA
BANGALURU-560001,
KARNATAKA STATE. RESPONDENT NO. 21

22. STATE OF KERALA
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
KOCHI-682031,
KERALA STATE. RESPONDENT NO. 22
23. UNION TERRITORY OF LAKSHADWEEP
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
KAVARATTI-682555,
LAKSHADWEEP (UNION TERRITORY). RESPONDENT NO. 23
24. STATE OF MADHYA PRADESH
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
BHOPAL-482002
MADHYA PRADESH STATE. RESPONDENT NO. 24
25. STATE OF MAHARASHTRA
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
MUMBAI-400032,
MAHARASHTRA STATE. RESPONDENT NO. 25
26. STATE OF MANIPUR
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
IMPHAL-795001,
MANIPUR STATE. RESPONDENT NO. 26
27. STATE OF MEGHALAYA
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
SHILLONG-793001,
MEGHALAYA STATE. RESPONDENT NO. 27
28. STATE OF MIZORAM
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
AIZAWL-796001,
MIZORAM STATE. RESPONDENT NO. 28
29. STATE OF NAGALAND
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
KOHIMA-797001,
NAGALAND STATE. RESPONDENT NO. 29

30. STATE OF ODISHA
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
BHUBANESWAR-751001,
ODHISHA STATE. RESPONDENT NO. 30
31. UNION TERRITORY OF PUDUCHERRY
REPRESENTED THROUGH ITS
CHIEF SECRETARY, SECRETARIAT
PUDUCHERRY-605001,
PUDUCHERRY (UNION TERRITORY). RESPONDENT NO. 31
32. STATE OF PUNJAB
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
CHANDIGARH-160036,
PUNJAB STATE. RESPONDENT NO. 32
33. STATE OF RAJASTHAN
REPRESENTED THROUGH ITS
CHIEF SECRETARY
SECRETARIAT
JAIPUR-302001,
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REPRESENTED THROUGH ITS
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CHENNAI-600004
TAMIL NADU STATE. RESPONDENT NO. 35
36. STATE OF TRIPURA
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CHIEF SECRETARY
SECRETARIAT
AGARTALA-799001,
TRIPURA STATE. RESPONDENT NO. 36
37. STATE OF UTTARAKHAND
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SECRETARIAT
DEHRADUN-248001,
UTTARAKHAND STATE. RESPONDENT NO. 37

38. STATE OF UTTAR PRADESH
THROUGH SECRETARY,
FOOD AND CIVIL SUPPLIES,
CIVIL SECRETARIAT, LUCKNOW.
UTTAR PRADESH. RESPONDENT NO. 38
39. STATE OF WEST BENGAL
REPRESENTED THROUGH ITS
CHIEF SECRETARY, SECRETARIAT
KOLKATA-700001,
WEST BENGAL STATE. RESPONDENT NO. 39

A WRIT PETITION UNDER ARTICLE 32 OF THE
CONSTITUTION OF INDIA

TO
THE HON'BLE CHIEF JUSTICE
OF INDIA AND HIS COMPANION
JUSTICE OF THE HON'BLE SUPREME COURT

THE HUMBLE PETITION OF
THE PETITIONER ABOVE NAMED

MOST RESPECTFULLY SHOWETH:

1. The present Writ Petition is being filed before this Hon'ble Court in the nature of a Public Interest Litigation, by the Petitioner herein, who is public-spirited person and an advocate by profession and is engaged in various social upliftment activities all over the world. The said petition is being filed in the interest of all the Indian citizens, residing in India or abroad who are the tax payers of our Country, primarily seeking, *inter-alia*, the urgent and kind indulgence of this Hon'ble Court to direct the Respondents herein to (i) formulate appropriate guidelines, on compassionate grounds, insofar as to provide adequate *ex-gratia* monetary compensation to the next of kin of all Indian citizens pertaining to COVID-19 related casualties/deaths, as the Union or the respective State may deem as fit and proper, posthumously and also (ii) formulate appropriate guidelines to provide *ex-gratia* monetary compensation

to the kin of all the Indian citizens who have succumbed to COVID-19, regardless of their profession and/or place of death.

- 1A. The Petitioner is an Indian citizen and an eminent social activist, actively engaged in social upliftment and welfare of Indian citizen activities, especially during this global pandemic and is acting in *bonafide* interests for the welfare and wellbeing of all the distressed, Indian family members who are facing severe hardships due to the death of their deceased family members due to COVID-19. The Petitioner has no vested personal interest in the subject matter of the petition. That the petitioner has not instituted any similar petition before this Hon'ble Court or any other court of Law within the territory of India.

The Petitioner submits that this Petition is maintainable under Article 32 of the Constitution of India. The E-mail ID of the Petitioner is nachiketavajpayee10@gmail.com, mobile number is +91 9319402694. The annual income of the Petitioner is Rs. 3,00,000/-. The Petitioner's PAN Card No. CJQPK6817A and Aadhar Card No. is 4716 2953 9783. A true copy of the identity proof of the Petitioner is annexed herewith and marked as **ANNEXURE P-1 (PAGES 26)**.

- 1B. That there is no Civil, Criminal and revenue pending against the Petitioner which could have legal nexus with the issues involved in the Public Interest Litigation. Further, the Petitioner did not approach any statutory authority with respect to the underlying concerns of the present Petition because considering the (i) peculiar nature of the prayers sought in the present Petition; (ii) prolonged

and currently prevailing National lockdown in a phased manner owing to the spread of COVID-19 pandemic and; (iii) extreme urgency of the present case in light of the increasing death toll of Indian citizens, the Petitioner has no other alternate efficacious remedy, thereby calling for immediate intervention of this Hon'ble Court, which is necessary in the interest of justice, requiring immediate orders with respect to the prayers sought in the present Petition.

2. That the Respondent No. 1 is the Union of India through Ministry of Home Affairs, Respondent No. 2 is the Ministry of External Affairs through its Secretary, Respondent No. 3 is the Ministry of Finance, Government of India by its Secretary and Respondent No. 4 is the Ministry of Health and Family Welfare through its Secretary and Respondent No. 5 to 39 is the State Government, who are bound to act within the framework of the Constitution and to uphold its virtues. The Respondents herein fall under the definition of a "State" as enumerated under Article 12 of the Constitution, thereby being bound to protect the fundamental rights of the citizens of India.
3. That the present Petitioner raises the following of general public interest:
 - a) Whether the Respondents herein have a constitutional and the foremost fundamental duty to protect the interests of Indian Citizens in times of distress and worldwide emergency?

- b) Whether the Respondents herein are duty bound to implement public law remedies in cases of epidemic and notified “disaster” under the disaster Management act, 2005?
- c) Whether the Respondents herein are duty bound to protect the Right to Personal Liberty and Right to Live with Dignity and Fair Treatment of the Indian citizens, under such state of emergency, as enumerated under Article 21 of the Constitution?
4. That the present petition is being filed in the interest of justice for protecting and safeguarding the fundamental and most basic human rights of millions of Indian citizens who are working diligently for the country each and every day, which is equivalent to that of a sacrifice while regarding the current state of epidemic. Some of the people being represented in the present PIL may not be aware of their legal rights being infringed and may not have the economic means to approach this Hon’ble court.

PUBLIC INTEREST AT LARGE:

5. That the said petition is being in the interest of all the Indian citizens who are also the tax payers of this country and work diligently each and every day, leading to the development of nation. The current state of the world is akin to a state of emergency due to the outbreak of COVID-19 which has no cure/vaccine till date and therefore, the citizens who are working for the country in the current scenario is equivalent to that of a sacrifice as not only are they working in the interest of other Indian citizens but are also working for the development of our Country. The families of such citizens are duly entitled to ex-gratia compensation, owing to the

immense hardships being faced by them in the event of death of their loved ones due to COVID-19.

6. That there are numerous instances wherein doctors, para medical staff, sanitation workers, government employees etc. have lost their life while protecting the lives of other citizens. One such instance is of a 36-year-old general physician in Mumbai, who died of COVID-19 with multiple organ failure while treating covid-19 patients in S.L. Raheja Hospital. The Epidemiologist, Dr. Om Shrivastava stated *“This is something we need to be very careful about. If healthcare workers are infected like this, we should be able to provide them with the best of care.”* Similarly, there are various other front-line workers who are sacrificing their lives on a daily basis with the sole intention of protecting and safeguarding the lives of fellow citizens during this unprecedented time.
7. That the first case of COVID-19 pandemic was reported within the territory of India on 30.01.2020. That the Central Government, in order to break the chain of transmission and thereby control the spread of the said virus, announced a 21-day National lockdown on 24.03.2020, thereby bringing the economy of the Nation to an absolute halt.
8. During these unprecedented times, this Hon’ble Court has acted as a guardian of the virtues of Human rights and has taken up numerous public-interest issues, such as decongestion of Jails, Health and Sanitation of Medical staff and dignified disposal of dead bodies, Relief to Migrant workers etc. by way of Suo Moto Writ Petitions, in order to mitigate and obviate the atrocities being

faced by the public at large and the present issue in hand falls under the same domain, whereby thousands of citizens are rendered helpless and financially deprived due to loss of the lives of their loved ones and sole earning family members by COVID-19, which is a notified “*disaster*” as defined u/s 2(d) the Disaster Management Act, 2005.

9. That the Respondent No. 2 announced a Rs. 1.70 crore relief package under the Pradhan Mantri Garib Yojna wherein an ex-gratia monetary aid of Rs. 1,000 will be given to all poor senior citizens, widows and disabled. Moreover, an additional aid of Rs. 500 per month will be given to poor and distressed women. A true copy of the Press Information Bureau, Government of India dated 26.03.2020 is annexed herewith and marked as **ANNEXURE P-2 (PAGES 27 TO 30)**.
10. That the State of NCT of Delhi vide Government Order dated 19.04.2020 modified its original Order dated 07.04.2020 to a limited extent, by awarding compensation to the employees who died of COVID-19 while being on duty. It is stated therein that any person including Doctor, Nurse, Para medical staff, security/sanitation staff or any other government officer/official including Police officers, if expires by contracting the said disease, during discharge of his/her duty, shall be compensated with ex-gratia amount of rupees One Crore, posthumously. A true copy of the Government Order dated 07.04.2020 issued by the Government of National Capital Territory of Delhi, Health and Family Welfare

Department (HR-Medical Branch), New Delhi is annexed herewith and marked as **ANNEXURE P-3 (PAGES 31)**.

11. That the Ministry of Consumer Affairs, Food and Public Distribution approved the proposal for grant of ex-gratia monetary compensation to 1,08,714 workers and officers of the Food Corporation of India (FCI). Under its provisions, during the six month period from March 24, 2020 to 23 September, 2020 if anybody dies due to COVID-19 infection while on duty with FCI, the Regular FCI Labor will get an ex-gratia of Rupees 15 lakh, Contractual Labour will be entitled to Rs.10 lakh, Category-1 Officers Rs.35 lakh, Category-2 – Rs.30 lakh and Category -3 & -4 workers – Rs.25 lakh. A true copy of the Press Release by the Ministry of Consumer Affairs, Food & Public Distribution dated 10.04.2020 is annexed herewith and marked as **ANNEXURE P-4 (PAGES 32)**.
12. That the State of Rajasthan announced ex-gratia compensation in tune of Rs. 50 Lakhs to the dependents of sanitation workers in case of death due to COVID-19, while discharging duties. It was further stated that “The kin of employees of autonomous bodies, boards and corporations of Rajasthan, who are on duty during novel coronavirus pandemic, will also be given ex-gratia compensation of Rs. 50 Lakh in case of death. A true copy of the Business Insider India Article dated 27.04.2020 regarding ex-gratia compensation in Rajasthan is annexed herewith and marked as **ANNEXURE P-5 (PAGES 33)**.

13. That the Ministry of Shipping announced grant of compensation /Ex-Gratia in the event of loss of life due to COVID-19 to the dependent members/legal heirs of the port employees in tune of Rs. 50 Lakhs, for Port employees and other contractual labour. It was further clarified that *“Monetary Compensation is declared to cover the risk of life due to COVID-19 contamination while discharging the Port related duty. Port Chairman is the competent authority for the settling claims/ disbursement of the compensation/Ex-Gratia and verifying authority for the cause of death from COVID-19. This compensation is applicable only for the pandemic of COVID-19 and shall be in force up to 30.09.2020, subject to review thereafter.”*
- A true copy of the Government Order bearing No. PD-14024/2/2020-PD-VII, Government of India, Ministry of Shipping (Port Wing), Transport Bhawan, Parliament Street, New Delhi-110001, dated 28.04.2020 is annexed herewith and marked as **ANNEXURE P-6 (PAGES 34 TO 35)**.
14. That in recent times, the State of Andhra Pradesh announced Rs. 1 crore ex-gratia compensation for the kin of all the *“Vishakhapatnam Gas Leak”* victims. Further, Andhra Pradesh Chief Minister Y.S. Jaganmohan Reddy has announced an ex-gratia of Rs 1 crore each to the families of the deceased. An ex-gratia of Rs 10 lakhs has been promised to those on ventilator support. A true copy of the NDTV News Article dated 07.05.2020 is annexed herewith and marked as **ANNEXURE P-7 (PAGES 36 TO 37)**.
15. That Punjab Finance Department has notified detailed guidelines for the grant of ex-gratia compensation to the tune of Rs 50 lakh to

the dependent members/legal heirs of employees, who die in harness while on Government duty fighting against Coronavirus pandemic. The compensation is admissible only for the pandemic of COVID-19 and it would remain in force from April 1, 2020 to July 31, 2020 subject to review thereafter. Further, the official spokesperson said that the said ex-gratia would be applicable to all categories of the regular employees of the state Government, who die in harness due to COVID-19 disease contracted while performing official duties.

16. That the State of Uttarakhand announced that the kin of those who die due to Covid-19 in the state will be given ex-gratia payment of Rs 1 lakh. The CM also instructed officials to conduct surprise checks on those who have been home-quarantined to ensure that they are following all the norms. He also said that special attention should be paid to quarantine facilities in villages and the village heads should be given sufficient funds. A true copy of the article dated 04.06.2020 published by Hindustan Times is annexed herewith and marked as **ANNEXURE P-8 (PAGES 38 TO 39)**.
17. That despite the best efforts of the Respondents herein, the fact must be acknowledged that it is the duty of the state to safeguard the interest and life of its citizens, especially in circumstances wherein the services provided by people are equivalent to that of a sacrifice, whereby despite being at the risk of contracting the said deadly virus, each and every citizen is diligently working on a daily basis, in various sectors of our society to combat the said virus and stabilize the growth of our country amidst this global outbreak. The

state of the world is akin to a state of emergency, being war-like in nature, therefore it is imperative to provide ex-gratia honorary monetary compensation, as a mode of a relief measure and financial assistance to those families who have lost their loved ones due to COVID-19.

GROUNDNS

- A. Because the present Petition is not adversarial in nature. While acknowledging the best efforts being taken by the Respondents herein to curb the spread of the pandemic and provide efficacious relief to all the aggrieved citizens thereof, the fact must be acknowledged that the said outbreak is a notified "*disaster*" as defined u/s 2(d) the Disaster Management Act, 2005 and is exponentially increasing with each passing day, taking the lives of thousands of diligent tax payers of our country and adversely affecting their respective families thereof. It is the need of the hour to invoke Public law remedies, as the citizens of our country are sacrificing their lives on a daily basis for the growth and security of our nation, therefore, it is now the duty of the State of safeguard and provide adequate relief to it's citizens who have succumbed to COVID-19 while discharging their duties towards our nation, regardless of the sector of employment.
- B. Because even though the matters like (i) the manner in which COVID-19 is combated across the country; (ii) execution of relief programs while ensuring that the benefits of the same reaches maximum number of persons etc. are a matter of policy of the Respondents herein, yet millions of Indian tax payers, residing in

India or abroad are suffering due to the death of their working family member (s) because of COVID-19, which till date has no cure or vaccine. The current situation is a state of notified “*disaster*”, which enables the State to take all the appropriate measures for the relief of the distressed citizens as per the Disaster management Act, 2005. The deceased persons along with their family members are the residents of India and are the sole reason for the growth of our nation.

- C. Because there are various schemes which have been formulated by different authorities and individual states for compensation to COVID-19 related deaths, however, while keeping in view the current situation of our country, it is imperative to formulate a National Relief Plan u/s 11 of the National Disaster Management Act, 2005, whereby funds from National Disaster Response Fund (“NDRF”) or any other existing fund can be utilized, for providing relief, in the financial aspects, especially to the financially weaker sections of the society, who have no finances for sustenance and survival means thereof, by way of compassionate compensation to the dependents of COVID-19 related deaths.
- D. Because the Respondent No. 1 along with other competent authorities and ministries have continually provided financial aid and assistance to the victims of disasters and calamities by way of *ex-gratia* compensation schemes. A few past instances such as *Tornado’1993 in West Bengal, Kutch Earthquake 2001, Tsunami, 2004, army personnel who have died in wars etc.* and even in the recent incident of “*Vizag Gas Leak*”, wherein compensation from

Rs. 15 lakhs to Rs. 1 crores was provided to families of the deceased based on their respective financial status. The situation in hand is an unprecedented event and therefore, requires extraordinary and unparalleled measures for relief and aid. Moreover, there are existing schemes such as Pradhan Mantri Relief programme etc. which are not being made available to the distressed citizens effectively.

- E. Because the majority of our population belongs to financially weaker sections of the society, who are also the tax payers of our Country. Moreover, the casualties and death rate due to COVID-19 is exponentially increasing with each passing hour, especially in cases of front-line workers such as police officials, doctors, para medical staff, government employees, media reporters etc., thereby rendering the whole family of the deceased in an extremely vulnerable position. Therefore, while regarding the *humanitarian* approach which is the need of the hour, in the event of death of any of our citizen, due to COVID-19, which has no cure/vaccine till date, it is the duty of the State to provide relief to its citizens by adequately compensating the kin of the deceased in order to financially assist the families thereof, who are in an extremely vulnerable and helpless position, having suffered due to the outbreak of this deadly virus.
- F. Because in view of the devastating effect of COVID-19, numerous states have formulated guidelines for providing ex gratia compensation to the families of doctors/para-medical staff, police officers, government officials, teachers etc. who have succumbed to

this deadly virus while being on duty. The details of a few states/Authorities who have initiated and implemented providing of financial assistance to the family members of COVID-19 casualties are as under:

- The State of NCT of Delhi vide Government Order dated 19.04.2020, has announced a compensation in tune of Rs. 1 crore to the families of all the frontline workers.
- The Ministry of Shipping on 28.04.2020 has decided that all the Major Ports may grant compensation /Ex-Gratia in the event of loss of life due to COVID-19 to the dependent members/legal heirs of the port employees.
- The Respondent No. 1 announced ex-gratia compensation in tune of Rs. 10 Lakhs for the kin of all the postal employees, including Gramin Dak Sevaks (GDS), who died of COVID-19 while discharging their duties.
- The Ministry of Consumer Affairs, Food and Public Distribution, announced ex-gratia monetary compensation to kin of Food Corporation Of India Workers/labours. Under its provisions, during the six month period from March 24, 2020 to 23 September, 2020 if anybody dies due to COVID-19 infection while on duty with FCI, the Regular FCI Labour will get an ex-gratia of Rupees 15 lakh, Contractual Labour

will be entitled to Rs.10 lakh, Category-1 Officers Rs.35 lakh, Category-2 – Rs.30 lakh and Category -3 & -4 workers – Rs.25 lakh.

- The state of Punjab has announced an ex-gratia compensation in tune of Rs. 50 Lakh to the legal heirs and kin of government employees who have succumbed to Coronavirus.
- The State of Rajasthan has decided to provide Rs. 50 Lakhs as ex-gratia compensation to the dependants of sanitation workers in case of death due to COVID-19.
- The State of Uttarakhand has announced on 04.06.2020 that the kin of those who die due to Covid-19 in the state will be given ex-gratia payment of Rs. 1 lakh.

G. Because as soon a disaster has been notified under the Disaster Management Act, 2005, the states are enabled to use funds from the respective “*State Disaster Response Fund*” or “*National Disaster Response Fund*”, in order to obviate the difficulties being faced by the citizens. Additionally, while considering the exponential increase in the spread of this virus, funds from the existing Prime minister National Relief fund and the new PM CARES Fund created on 28.03.2020 can also be used for providing financial assistance and aid to the family members of the COVID-19 casualties, which has received generous donations from prominent individuals, trusts, corporations etc. The continuing sufferings of millions of families has compelled the Petitioner to approach this

Hon'ble Court by way the present petition, with a limited prayer of providing monetary relief to the families of the deceased person as a financial aid and cover for survival and as a gesture of honor.

- H. Because thousands of citizens are involved in essential services who are sacrificing their own lives in order to save others and the others work in other sectors of employment and pay taxes, which ultimately booms our country's development and economy annually. Thus, during such unprecedented times, wherein the existence of mankind in itself is in imminent danger, it is imperative to provide all measures of reliefs, especially a financial cover to the families of the citizens who have succumbed their lives while being on duty.
- I. Because there are numerous instances wherein doctors, para medical staff, sanitation workers, government employees etc have lost their life while protecting the lives of other citizens. One such instance is of a 36 year old general physician in Mumbai, who died of COVID-19 with multiple organ failure while treating covid-19 patients in S.L. Raheja Hospital. The Epidemiologist, Dr. Om Shrivastava stated *"This is something we need to be very careful about. If healthcare workers are infected like this, we should be able to provide them with the best of care."* Similarly, there are various other front line workers who are sacrificing their lives on a daily basis with the sole intention of protecting and safeguarding the lives of fellow citizens during this unprecedented time.
- J. Because Article 21 reads as under :

“No person shall be deprived of his life or personal liberty except according to a procedure established by law.” According to Bhagwati, J., Article 21 “embodies a constitutional value of supreme importance in a democratic society.” Moreover, Iyer, J., has characterized Article 21 as “the procedural magna carta protective of life and liberty.”

This right has been held to be the heart of the Constitution, the most organic and progressive provision in our living constitution, the foundation of our laws.

Article 21 can only be claimed when a person is deprived of his “life” or “personal liberty” by the “State” as defined in Article 12. Therefore, the current situation of the epidemic clearly abridges the fundamental rights of a person and therefore, financial assistance in the form of *ex-gratia compensation* is only necessitated in the interest of justice.

K. Because it is the duty of the state to safeguard the interest and life of it's citizens, especially in circumstances wherein the services provided by people are equivalent to that of a sacrifice, whereby despite being at the risk of contracting the said deadly virus, each and every citizen is diligently working on a daily basis, in various sectors of our society to combat the said virus and stabilize the growth of our country amidst this global outbreak.

PRAYER

In the facts and circumstances of the case, as mentioned above, it is, therefore, most humbly prayed that this Hon'ble Court may graciously be pleased to:

- a. Issue a writ in the nature of Mandamus or any other appropriate Writ, Order or Direction to the Respondents herein to formulate appropriate guidelines, on compassionate grounds, insofar as to provide adequate *ex-gratia* monetary compensation to the next of kin of all Indian citizens pertaining to COVID-19 related casualties/deaths, as the Union or the respective State may deem as fit and proper, especially for the financially weaker sections of the society, posthumously, and/or;
- b. Issue a writ in the nature of Mandamus or any other appropriate Writ, Order or Direction to the State Respondents herein to file a detailed "Status Report" before this Hon'ble Court, stating therein the total number of COVID-19 related deaths/causalities and measures taken by the State authorities or other competent authorities for compensating the loss of life due to this disaster, and/or;
- c. Issue a writ in the nature of Mandamus or any other appropriate Writ, Order or Direction to the Respondent No. 2 herein to file a detailed Report on the number of COVID-19 deaths and casualties of Indian citizens and the actions being taken up by the respective Indian Mission/Consulate for compensating the loss of live due to the said disaster thereof, and/or;
- d. Issue a writ in the nature of Mandamus or any other appropriate Writ, Order or Direction to direct the Respondents herein to formulate formulate an appropriate "*Compensation plan*" to provide *ex-gratia* monetary compensation with regards to the profession of the deceased person, whereby highest amount of

compensation must be paid to the to the kin of the casualties of essential/healthcare workers who have succumbed to COVID-19; and/or


- e. Issue a writ in the nature of Mandamus or any other appropriate Writ, Order or Direction to direct the Respondent No. 1 to make appropriate monetary schemes to aid and assist the financially weaker sections of the society insofar as to safeguard their life and health during this pandemic; and/or
- f. Pass any other or further orders as may be deemed fit and proper in the circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE PETITIONER SHALL AS IN DUTY BOUND EVER PRAY.

DRAWN BY:
SOLICITORSINDIA LAW OFFICES
ADVOCATES

DEEPAK PRAKASH
Advocate-on-Record
Supreme Court of India
8-B, 2nd Floor, Mathura Road,
Jangpura-B, New Delhi-110014
Code No. 2218

Filed by:


(DEEPAK PRAKASH)
ADVOCATE FOR THE PETITIONER

Drawn on: 06.07.2020
Place: New Delhi
Dated: 10.07.2020

24

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (CIVIL) NO. OF 2020

IN THE MATTER OF:

HASHIK THAYIKANDY

PETITIONER

VERSUS

UNION OF INDIA & ORS.

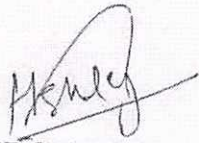
RESPONDENTS

AFFIDAVIT

I, Hashik Thayikandy, Aged about 47 Years, S/o. P.P. Musthafa, R/o. Haseena Manzil, Adikadalayi, Near Noor Masjid, P.O. Adikadalayi, Thottada, Kannur District, Kerala-670007, presently at Dubai, UAE do hereby solemnly affirm and state as follows:

1. That I am the Petitioner in the above mentioned Writ Petition, and as such I am well conversant with the facts of the case and thus competent to swear this affidavit.
2. I say that I have read and understood the contents of the Synopsis and List of Dates at Pages B to L and contents of Para 1 to 17 at Pages 1 to 23 of the Writ Petition and connected applications at Pages 40 to 42 and state that the facts mentioned therein are true to my knowledge and belief and information derived from the records of the case as per the legal advice received and believed by me. I say that the facts and circumstances stated in the Writ Petition and the connected applications are true and correct.
3. That I Say that there is no personal gain, private or oblique reason for the petitioner in filing the instant Public Interest Litigation.


4. That the annexures filed along with this Writ Petition are true copies of their respective originals.
5. I say that the averments of facts stated herein above are to best of my knowledge and no part of it is false and nothing material has been concealed there from.


DEPONENT

VERIFICATION

I the above deponent affirm that the contents of Para 1 to 5 of this affidavit are true and correct to my knowledge and belief and no part of it is false and nothing material has been concealed there from.

Verified at Dubai, UAE this the 10th day of June, 2020.


DEPONENT

ANNEXURE P-1


 भारत सरकार
Government of India

 Hashik Thayikandy
DOB : 15/03/1973
Male




4716 2953 9783


मेरा आधार, मेरी पहचान


 आधर
भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India

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//True Copy//

ANNEXURE P-2

**Press Information Bureau
Government of India**

Finance Minister announces Rs 1.70 Lakh Crore relief package under Pradhan Mantri Garib Kalyan Yojana for the poor to help them fight the battle against Corona Virus

- Insurance cover of Rs 50 Lakh per health worker fighting COVID-19 to be provided under Insurance Scheme
- 80 crore poor people will to get 5 kg wheat or rice and 1 kg of preferred pulses for free every month for the next three months
- 20 crore women Jan Dhan account holders to get Rs 500 per month for next three months
- Increase in MNREGA wage to Rs 202 a day from Rs 182 to benefit 13.62 crore families
- An ex-gratia of Rs 1,000 to 3 crore poor senior citizen, poor widows and poor disabled
- Government to front-load Rs 2,000 paid to farmers in first week of April under existing PM Kisan Yojana to benefit 8.7 crore farmers
- Central Government has given orders to State Governments to use Building and Construction Workers Welfare Fund to provide relief to Construction Workers

New Delhi, 26th March 2020

The Union Finance & Corporate Affairs Minister Smt. Niramla Sitharaman today announced **Rs 1.70 Lakh Crore relief package under Pradhan Mantri Garib Kalyan Yojana for the poor to help them fight the battle against Corona Virus**. While addressing the press conference here today, Smt. Sitharaman said “Today’s measures are intended at reaching out to the poorest of the poor, with food and money in hands, so that they do not face difficulties in buying essential supplies and meeting essential needs.”

The Minister of State for Finance & Corporate Affairs Shri Anurag Singh Thakur was also present besides Shri Atanu Chakraborty, Secretary, Department of Economic Affairs and Shri Debashish Panda, Secretary, Department of Financial Services. **Following are the components of the Pradhan Mantri Garib Kalyan Package: —**

PRADHAN MANTRI GARIB KALYAN PACKAGE

I. Insurance scheme for health workers fighting COVID-19 in Government Hospitals and Health Care Centres

- Safai karamcharis, ward-boys, nurses, ASHA workers, paramedics, technicians, doctors and specialists and other health workers would be covered by a Special insurance Scheme.
- Any health professional, who while treating Covid-19 patients, meet with some accident, then he/she would be **compensated with an amount of Rs 50 lakh under the scheme.**

- All government health centres, wellness centres and hospitals of Centre as well as States would be covered **under this scheme approximately 22 lakh health workers would be provided insurance** cover to fight this pandemic.

II. PM Garib Kalyan Ann (अन्न) Yojana

- Government of India would not allow anybody, especially any poor family, to suffer on account of non-availability of foodgrains due to disruption in the next three months.
- **80 crore individuals, i.e, roughly two-thirds of India's population would be covered under this scheme.**
- Each one of them would be provided double of their current entitlement over next three months.
- This additionality would be free of cost.

Pulses:

- To ensure **adequate availability of protein** to all the above mentioned individuals, 1 kg per family, would be provided pulses according to regional preferences for next three months.
- These pulses would be provided **free of cost** by the Government of India.

III. Under Pradhan Mantri Garib Kalyan Yojana,

Benefit to farmers:

- **The first instalment of Rs 2,000 due in 2020-21 will be front-loaded and paid in April 2020 itself under the PM KISAN Yojana.**
- It would cover 8.7 crore farmers

IV. Cash transfers Under PM Garib Kalyan Yojana:

Help to Poor:

- A total of **20.40 crores PMJDY women account-holders** would be given an ex-gratia of **Rs 500 per month for next three months.**

Gas cylinders:

- Under **PM Garib Kalyan Yojana, gas cylinders, free of cost,** would be provided to 8 crore poor families for the next three months.

Help to low wage earners in organised sectors:

- **Wage-earners below Rs 15,000 per month in businesses having less than 100 workers** are at risk of losing their employment.
- Under this package, government proposes to pay **24 percent of their monthly wages into their PF accounts for next three months.**
- This would **prevent disruption in their employment.**

Support for senior citizens (above 60 years), widows and Divyang:

- There are around 3 crore aged widows and people in *Divyang* category who are vulnerable due to economic disruption caused by COVID-19.
- Government will **give them Rs 1,000 to tide over difficulties during next three months.**

MNREGA

- Under PM Garib Kalyan Yojana, **MNREGA wages would be increased by Rs 20 with effect from 1 April, 2020.** Wage increase under MNREGA will provide an additional Rs 2,000 benefit annually to a worker.
- This will benefit approximately 13.62 crore families.

V. Self-Help groups:

- Women organised through 63 lakhs Self Help Groups (SHGs) support 6.85 crore households.
 - a) Limit of collateral free lending would be increased from Rs 10 to Rs 20 lakhs.

VI. Other components of PM Garib Kalyan package

Organised sector:

- Employees' Provident Fund Regulations will be amended to include Pandemic as the reason to **allow non-refundable advance of 75 percent of the amount or three months of the wages, whichever is lower, from their accounts.**
- Families of four crore workers registered under EPF can take benefit of this window.

Building and Other Construction Workers Welfare Fund:

- Welfare Fund for Building and Other Constructions Workers has been created under a Central Government Act.
- There are around 3.5 Crore registered workers in the Fund.
- **State Governments will be given directions to utilise this fund to provide assistance and support to these workers to protect them against economic disruptions.**

District Mineral Fund

- The State Government will be asked to utilise the funds available under District Mineral Fund (DMF) for supplementing and augmenting facilities of medical testing, screening and other requirements in connection with preventing the spread of COVID-19 pandemic as well as treating the patients affected with this pandemic.

RM/KMN

*amt
//True copy//*

GOVT. OF NCT OF DELHI
HEALTH & FAMILY WELFARE DEPARTMENT
(HR-MEDICAL BRANCH)
9TH LEVEL, A - WING, DELHI SECRETARIAT
I.P. ESTATE, NEW DELHI - 2

No. F. 11/13/H&FW/HR-Medical/2020/CD#1126000847/881-890

Dated: 07/04/2020

ORDER

Subject: - Awarding compensation to family of employees who die of COVID 19 disease while on COVID 19 duty.

The Government of NCT of Delhi vide Cabinet Decision No. 2819 dated 01-04-2020 has approved as follows: -

"Any person attending COVID 19 patients including Doctor, Nurse, Para-Medical Staff, Sweeper or any other staff, whether temporary or permanent employee, in Government or Private Sector, if expire by contracting the disease during discharge of his/ her duty, his/ her family shall be compensated with ex gratia amount of Rupees One Crore, posthumously.

Upon receiving the recommendation from the Medical Superintendent/HOD/In-charge of the Hospital/Medical Institution, the recommendation will be processed by Health & Family Welfare Department, GNCT of Delhi and shall be put up through Minister (H&FW) for the approval of Hon'ble Chief Minister".

(S.M. Ali)

Spl. Secretary (H&FW)

No. F. 11/13/H&FW/HR-Medical/2020/CD#1126000847/881-890
Copy for information to: -

Dated: 07/04/2020

1. Pr. Secretary to Hon'ble Lt. Governor, Delhi.
2. Addl. Secretary to Hon'ble Chief Minister of Delhi.
3. Secretary to Hon'ble Dy. Chief Minister of Delhi.
4. Secretary to Hon'ble Minister of H&FW Delhi.
5. OSD to Worthy Chief Secretary, Delhi.
6. All HoDs of Departments under GNCT of Delhi.
7. All MSs/ MDs/ HoDs/ Hols of Hospitals/ Institutions under H&FW Department, GNCT of Delhi.
8. PS to Secretary, H&FW, GNCT of Delhi.
9. PA to Spl. Secretary (HR-M), H&FW, GNCT of Delhi.
10. Guard File.

(S.M. Ali)

Spl. Secretary (H&FW)

11 True copy

ANNEXURE P- 4

Ministry of Consumer Affairs, Food & Public Distribution

Government approves ex-gratia compensation for more than one lakh FCI employees in case of death due to COVID-19

Posted On: 10 APR 2020 7:39PM by PIB Delhi

The Government has approved the proposal for grant of ex-gratia monetary compensation to 1,08,714 workers and officers of the Food Corporation of India (FCI) including 80,000 labour who are working 24x7 to supply food grains across the country amidst the outbreak of Coronavirus pandemic.

Presently, families of FCI employees are entitled to compensation in the event of death due to terrorist attack, bomb blast, mob attack or natural disaster, but the Regular and Contractual Labour of FCI are not covered under its provisions. Keeping this in view, the Government has decided to provide ex-gratia monetary compensation to all employees and labour of FCI who are working tirelessly despite the threat of infection due to Coronavirus COVID-19.

Under its provisions, during the six month period from March 24, 2020 to 23 September, 2020 if anybody dies due to COVID-19 infection while on duty with FCI, the Regular FCI Labour will get an ex-gratia of Rupees 15 lakh, Contractual Labour will be entitled to Rs.10 lakh, Category-1 Officers Rs.35 lakh, Category-2 – Rs.30 lakh and Category -3 & -4 workers – Rs.25 lakh.

Announcing this, the Union Minister for Consumer Affairs, Food and Public Distribution, Shri Ram Vilas Paswan said the Government is committed to provide all possible security to our Corona-warriors engaged in providing essentials and services to the common man during these times of crisis.

APS/PK/MS/BA

(Release ID: 1613082) Visitor Counter: 838


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ANNEXURE P-5

BUSINESS INSIDER**INDIA****Rs 50 lakh ex gratia compensation if any R'than sanitation worker dies of COVID-19**

PTI

APR 27, 2020, 21:42 IST

Jaipur, April 27 () Rajasthan Government has decided to give Rs. 50 lakh ex-gratia compensation to the dependents of sanitation workers in case of death due to COVID-19 while discharging duties.

The kin of employees of autonomous bodies, boards and corporations of Rajasthan, who are on duty during novel coronavirus pandemic, will also be given the ex-gratia compensation of Rs. 50 Lakh in case of death.

The state finance department on Monday issued a revised order in this regard.

Earlier, the state government had issued an order on April 11 announcing a similar ex-gratia grant to the family of the State Government Employees.

The department said dependents of state employees, contract workers and workers on honorarium will be given Rs. 50 lakh ex-gratia compensation on death due to coronavirus. Meanwhile, the local self government department has released Rs. 521.63 Crore for April, May and June salaries of the municipality personnel. AG SDA AD.



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ANNEXURE P-6

PD-14024/2/2020-PD-VII
 Government of India
 Ministry of Shipping
 (Port Wing)

Transport Bhawan,
 1, Parliament Street, New Delhi-110001

Dated: 28th April, 2020

To
 The Chairperson/Chairmen/CMD,
 All Major Port Trust

Subject: Monetary Compensation to dependent members/legal heirs of Port Employees/Workers to cover the risk of life due to COVID 19 contamination while doing their duty.

Madam/Sir,

I am directed to say that the issue of providing compensation/Ex-Gratia in the event of loss of life due to COVID-19 to those who are working in the port, has been under consideration of the Ministry. It has now been decided that all the Major Ports may grant compensation/Ex-Gratia in the event of loss of life due to COVID-19 to the dependant members/legal heirs of those who are working in the port as under:

S.N.	Category	Amount of Compensation/Ex-Gratia (Rs)
i)	All Port employees including Contract Labourers employed directly by the Port	50.00 Lakh
ii)	Other Contract Labourers	50.00 Lakh

2. While settling claims/disbursement of the compensation/Ex-Gratia, the cause of death from COVID-19 and discharge of Port related duty will have to be verified by the Port Chairman. The Ports will utilize their internal resources for the disbursement of compensation. A list of Contract Labourers employed directly by Port or indirectly through port contractors will be maintained by Ports. This compensation is applicable only for the pandemic of COVID-19 and it shall be in force upto 30.09.2020, subject to review thereafter.

(Signature)

3. This issues with the approval of Hon'ble Minister of State for Shipping(IC).

Yours faithfully,

(Arvind Chaudhary)
28/4/2024
(Arvind Chaudhary)
Director

Copy to:

1. PS to Minister of State for Shipping (I/C)
2. PS to Secretary (S)
3. DG(Shipping)
4. PS to Addl. Secretary (S)
5. PS to Addl. Secretary & Financial Adviser
6. PSs to JS(P)/JS (SM)/JS (S)/JS(PPP)/JS(Admin/DGLL)/DA(P)
7. MD IPA
8. All Director/DS / CO Ports Wing

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NDTV

Andhra Announces Rs 1 Crore Compensation To Visakhapatnam Gas Leak Victims

LG Polymers: At least 11 people have been killed and 1,000 sick in Vizag Gas Leak incident on Thursday morning.

Andhra Pradesh Reported by Uma Sudhir, Edited by Vaibhav Tiwari Updated: May 07, 2020 07:06 pm IST

Vishakhapatnam:

Andhra Pradesh Chief Minister YS Jaganmohan Reddy has announced Rs one crore as compensation to the families of those who died because of exposure to a toxic gas that leaked overnight at a chemical plant in Vishakhapatnam on Thursday.

Mr Reddy has also announced Rs 10 lakh for those on ventilator support after exposure, Rs 1 lakh for those who will stay in hospital for a day or two, and Rs 25,000 for those treated as out-patients after developing health complications. He also said 15,000 people were affected by the gas leak, and each family will get Rs 10,000 to cope with the trauma.

At least 11 people have been killed and 1,000 sick after styrene gas, which affects the Central Nervous System and can cause nausea, headache, sense of imbalance, skin irritation and burning eyes on exposure, leaked on Thursday morning from the tanks of a company, LG Polymers, which had been shut because of the nationwide coronavirus lockdown. As the state government eased lockdown restrictions, the company began its recommissioning operation Wednesday midnight, allegedly without taking adequate precautions, causing the leak.

Safety expert V Sriram, whose company had conducted a safety audit at the company three years ago, said they had given recommendations for safety, fearing such a leak.

"The unit was shut for 40 days, and there should have been a safety audit before restarting," he told NDTV.

At daybreak, people were found lying motionless in lanes, ditches and near houses. At least three surrounding villages were evacuated and officials went house-to-house, breaking in to pull out unconscious victims.

Up to 25 are critical, said the National Disaster Response Force, declaring the incident a chemical disaster.

The Andhra government has formed a committee to probe the gas leak. It will also give recommendations to the state government regarding prevention of such incidents.

Prime Minister Narendra Modi has taken first-hand information about the accident from senior officials, and assured all possible assistance to the Chief Minister.

"Spoke to officials of MHA and NDMA regarding the situation in Visakhapatnam, which is being monitored closely. I pray for everyone's safety and well-being in Visakhapatnam," he tweeted.



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HINDUSTAN TIMES**Uttarakhand announces Rs 1 lakh ex-gratia for kin of Covid-19 casualties**

The Chief Minister also asked district magistrates to plug gaps in the health infrastructure as the Covid-19 tally continued to rise in the state.

INDIA Updated: Jun 04, 2020 18:06 IST

Uttarakhand chief minister Trivendra Singh Rawat on Thursday announced that the kin of those who die due to Covid-19 in the state will be given ex-gratia payment of Rs one lakh.

“Dependents of those who die of coronavirus in the state will be given financial assistance of Rs one lakh by the government,” the chief minister said at a virtual review meeting.

Ten people have died of Covid-19 in the state so far including two on Thursday afternoon.

Rawat also said that people should be constantly made aware of the necessity of physical distancing and wearing masks even outside containment zone. He said strict action should be taken against those who do not follow such measures.

The CM also instructed officials to conduct surprise checks on those who have been home-quarantined to ensure that they are following all the norms. He also said that special attention should be paid to quarantine facilities in villages and the village heads should be given sufficient funds.

He also instructed district magistrates to plug gaps in health infrastructure. "All the district magistrates should do a gap analysis of infrastructure and logistics, assessing the requirements of the coming time. Be sure to raise facilities and equipment according to this gap. We also need people's support in this fight against Covid-19 and strictness and awareness are our two major weapons."

With Dehradun becoming the district with the maximum number of cases in the state with 323 cases, the chief minister said that the capital city will be completely closed and sanitised over Saturday and Sunday.

"Given the rising Covid-19 cases which have a connection with positive cases detected from the Niranjanpur vegetable market, the market will be closed for two days and alternate arrangements should be made," said Rawat.

The government also decided that Dehradun will remain shut every Saturday and Sunday until further orders.

On Thursday, 21 cases detected from Dehradun were found to be close contacts of earlier cases in connection with the Niranjanpur vegetable market, the biggest vegetable mart in the state. Uttarakhand's Covid-19 tally now stands at 1,145.



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IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
I.A. NO. OF 2020
IN
WRIT PETITION (CIVIL) NO. OF 2020

IN THE MATTER OF:

HASHIK THAYIKANDY

PETITIONER

VERSUS

UNION OF INDIA & ORS.

RESPONDENTS

**APPLICATION FOR EXEMPTION FROM FILING ATTESTED /
NOTARIZED AFFIDAVIT**

TO,

THE HON'BLE CHIEF JUSTICE OF INDIA

AND HIS COMPANION JUDGES OF

SUPREME COURT OF INDIA

THE HUMBLE PETITION OF THE
APPLICANT PETITIONER ABOVE-NAMED

MOST RESPECTFULLY SHOWETH:

1. The present Writ Petition is being filed before this Hon'ble Court in the nature of a Public Interest Litigation, by the Petitioner herein, who is public-spirited person and an advocate by profession and is engaged in various social upliftment activities all over the world. The said petition is being filed in the interest of all the Indian citizens, residing in India or abroad who are the tax payers of our Country, primarily seeking, *inter-alia*, the urgent and kind indulgence of this Hon'ble Court to direct the Respondents herein to (i) formulate appropriate guidelines, on compassionate grounds, insofar as to provide adequate *ex-gratia* monetary compensation to the next of kin of all Indian citizens pertaining to COVID-19 related casualties/deaths, as the Union or the respective State may

deem as fit and proper, posthumously and also (ii) formulate appropriate guidelines to provide *ex-gratia* monetary compensation to the kin of all the Indian citizens who have succumbed to COVID-19, regardless of their profession and/or place of death.

2. That in view of the Nationwide Lockdown, due to which various technical/clerical work could not have been completed at present, the Petitioner is compelled to approach this Hon'ble Court by way of the present application, seeking exemption from filing attested copy of his Affidavit.
3. That for the sake of brevity, the facts and contents of the above mentioned Writ Petition are not reproduced herein, and the Petitioner thus craves the leave of this Hon'ble Court to consider the same as a part of the present application.
4. That Pertinently, owing to the "Nation Lockdown", none of the notarizing officials were available, due to which the Petitioner was rendered unable to attest/verify the accompanying Affidavit. Moreover, the Petitioner is well versed with the contents of the Petition and had duly verified the same, but solely due to non-availability of any notarizing agents because of the stringent lockdown, he could not attest the same.
5. That as soon as the lockdown expires, it is hereby undertaken that the Petitioner will expeditiously send the duly verified and attested copy of the Affidavit to Delhi and accordingly, the same will be placed on record as and when received.
6. That the balance of convenience lies in favor of the Applicant.

7. That the instant application is made in bona fide and in the interest of justice.

PRAYER


It is therefore, most respectfully prayed that this Hon'ble Court may be pleased to:

- a) Allow the present application and kindly grant exemption to the Petitioner from filing Attested/Notarized Affidavit on record at present; and/or
- b) Pass any other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

AND FOR THIS ACT OF KINDNESS THE PETITIONER AS IN DUTY BOUND SHALL EVER PRAY.

Filed by:

DEEPAK PRAKASH
Advocate-on-Record
Supreme Court of India
8-B, 2nd Floor, Mathura Road,
Jangpura-B, New Delhi-110014
Code-No. 2210


(DEEPAK PRAKASH)
ADVOCATE FOR THE PETITIONER

Place: New Delhi
Dated: 10.07.2020

VAKALATNAMA
(SCR Order IV Rule 18)
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (C) NO. OF 2020

IN THE MATTER OF:
HASHIK THAYIKANDY PETITIONER


UNION OF INDIA & ORS. RESPONDENTS

VERSUS

I, the undersigned the Petitioner in the above mentioned Writ Petition do hereby appoint and retain, **Deepak Prakash Advocate-on-Record**, Supreme Court of India to act and appear for us in the above Suit /Appeal/Petition/Reference and on our behalf to conduct and prosecute (or defend) or withdraw the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for review, to file and obtain return of documents, and to deposit and receive money on our behalf in the said suit/Appeal/Petition/Reference and in the above matter. I agree to ratify acts done by the aforesaid Advocate in pursuance of these authorities.

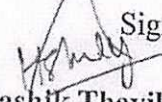
Dated this the 10th day of June, 2020.

Accepted, Identified & Satisfied


DEEPAK PRAKASH
Advocate-on-Record

57, Lawyers Chambers,
Supreme Court of India,
New Delhi -110001
Mob:- 0981093376
Code No. 2210

DEEPAK PRAKASH
Advocate-on-Record
Supreme Court of India
8-B, 2nd Floor, Mathura Road,
Jangpura-B, New Delhi-110014
Code-No. 2210


Signature
Hashik Thayikandy
Petitioner

MEMO OF APPEARANCE


To,
The Registrar,
Supreme Court of India,
New Delhi.

Sir,

Please enter my appearance on behalf of the Petitioner in the above mentioned Writ Petition.

DEEPAK PRAKASH
Advocate-on-Record
Supreme Court of India
8-B, 2nd Floor, Mathura Road,
Jangpura-B, New Delhi-110014
Code-No. 2210

Yours faithfully


DEEPAK PRAKASH
ADVOCATE FOR THE PETITIONER

Dated:
New Delhi

44

SECTION

DEEPAK PRAKASH
IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (CIVIL) NO. OF 2020
(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)

IN THE MATTER OF:

HASHIK THAYIKANDY

PETITIONER

VERSUS

UNION OF INDIA & ORS.

RESPONDENTS

INDEX

Sl. No.	Description	Copies	C. Fee
1	Listing Proforma	1+3	
2	Synopsis	1+3	
3	Writ Petition with affidavit	1+3	
4	Annexure P-1 to P-8	1+3	
5	<u>I.A. NO. OF 2020</u> Application for exemption from filing attested / notarized affidavit.	1+3	
6	Vakalatnama & Memo of appearance		
Total Rs.			

Dated: 10.07.2020
New Delhi

Filed by:
DEEPAK PRAKASH
Advocate-on-Record
Supreme Court of India
8-B, 2nd Floor, Mathura Road,
Jangpura-B, New Delhi-110014

(DEEPAK PRAKASH)

Advocate for the Petitioner
57, Lawyers Chambers,
Supreme Court Compound
New Delhi -110001
Code No. 2210

Mr. Sapan Tomar
I.C. No. 5648
Mob. No. 9990727638

Dated: 10.07.2020

To,
The Registrar
Supreme Court of India,
New Delhi.


LETTER FOR URGENCY
SUB; WRIT PETITION (CIVIL) NO. OF 2020
HASHIK THAIKANDY
VERSUS
UNION OF INDIA & ORS.

Sir,

That the present Writ Petition is being filed before this Hon'ble Court in the nature of a Public Interest Litigation, by the Petitioner herein, who is an eminent social activist, actively engaged in social upliftment and welfare of Indian citizen activities, especially during this global pandemic. The said petition is being filed in the interest of all the Indian citizens, residing in India and abroad who are the tax payers of our Country, primarily seeking, inter-alia, the urgent and kind indulgence of this Hon'ble Court to direct the Respondents herein to (i) formulate appropriate guidelines, on compassionate grounds, insofar as to provide adequate ex-gratia monetary compensation to the next of kin of all Indian citizens pertaining to COVID-19 related casualties/deaths, as the Union or the respective State may deem as fit and proper, especially for the financially weaker sections of the society, posthumously.

The urgency arises owing to the extreme hardships being faced by millions of distressed Indian citizens/family members and dependents, belonging to the weaker section of the society and especially those who are essential workers having lost their lives due to COVID-19. They have no source of income and were dependent on the source of income of their family members, who lost their lives due to COVID-19.

Yours faithfully


Deepak Prakash
Advocate-on-Record
Supreme Court of India

DEEPAK PRAKASH
Advocate-on-Record
Supreme Court of India
8-B, 2nd Floor, Mathura Road,
Jangpura-B, New Delhi-110014
Code-No. 2210

ADVOCATE'S CHECK LIST (TO BE CERTIFIED BY ADVOCATE-ON-RECORD)

Indicate Yes or NA

1. Writ Petition (C) has been filed in Form No. 28 with certificate.
2. The Petition is as per the provisions of Order XV Rule 1.
3. The papers of Writ Petition have been arranged as per Order XXI, Rule (3) (1) (f).
4. Brief list of dates / events has been filed.
5. Paragraphs and pages of paper books have been numbered consecutively and correctly noted in Index.
6. Proper and required number of paper books (1+1) have been filed.
7. The contents of the petition, applications and accompanying documents are clear, legible and typed in double space on one side.
8. The parties of the impugned judgment passed by the court(s) below are uniformly written in all the documents.
9. In case of appeal by certificate the appeal is accompanied by judgment and decree appealed from and order granting certificate.
10. If the petition is time barred, application for condonation of delay mentioning the no. of days of delay, with affidavit and court fee has been filed.
11. The annexures referred to in the petition are true

copies of the documents before the court(s) below and are filed in chronological order as per list of dates.

12. The annexures referred to in the petition are filed and indexed separately and not marked collectively.

YES

13. The relevant provision of the Constitution, statutes, ordinances, rules, regulations, bye laws, orders etc. referred to in the impugned judgment / order has been filed as Appendix to the Special Leave Petition.

NA

14. In Writ Petition against the order passed in Second Appeal, copies of the orders passed by the Trial Court and First Appellate Court have been filed.

NA

15. The complete listing proforma has been filled in, signed and included in the paper books.

YES

16. In a Petition (PIL) filed under clause (d) of Rule 12 (1) Order XXXVIII, the petitioner has disclosed.

NA

(a) His full name, complete postal address, e-mail address, phone number, proof regarding personal identification, occupation and annual income, PAN number and National Unique Identify Card number if any;

(b) The facts constituting the cause of action;

(c) The nature of injury caused likely to be caused to the public;


(d) The nature and extent of personal interest, if any, of the petitioner(s);

(e) Details regarding any civil, criminal or revenue

litigation, involving the petitioner or any of the Petitioners, which has or could have a legal nexus with the issue(s) involved in the Public Interest Litigation.

17. If any identical matter is pending / disposed of by the Hon'ble Supreme Court, the complete particulars of such matters have been given. YES
18. The statement in terms of the Order XIX Rule 3 (1) of Supreme Court Rules 2013 has been given in the petition of appeal. NA
19. Whether a Bank draft of Rs. 50,000/- or 50% of the amount, whichever is less, has been deposited by the person intending to appeal, if required to be paid as per the order of the NCDRC, in terms of Section 23 of the Consumer Protection Act, 1986. NO
20. In case of appeals under Armed Forces Tribunal Act, 2007, the petitioner / appellant has moved before the Armed Forces Tribunal for granting certificate for leave to appeal to the Supreme Court. NO
21. All the paper books to be filed after curing the defects shall be in order. YES

I hereby declare that I have personally verified the petition and its contents and it is conformity with the Supreme Court Rules 2013. I certify that the above requirements of the check list have been complied with. I further certify that all the documents necessary for the purpose of hearing of the matter have been filed.

Signature 

AoR's Name: Deepak Prakash

AoR Code 2210

Contact No. 9810903376

New Delhi
Date: 10.07.2020

DEEPAK PRAKASH
Advocate-on-Record
Supreme Court of India
8-B, 2nd Floor, Mathura Road,
Jangpura-B, New Delhi-110014
Code-No. 2210