

KERALA DID NOTHING FOR ENDOSULFAN VICTIMS: SC

Relevant for: Indian Polity | Topic: Judiciary in India: its Structure, Organization & Functioning, Judges of SC & High Courts, Judgments and related Issues

“We fail to understand the logic or the rationale of the State government in disbursing compensation only to those who have the ability to move this court... There are a large number of victims to whom no compensation has been provided despite the passage of over five years since the date of the judgment of this court. Most of the victims, as the data before the court indicate, are from the marginalised segments of society. Many of the victims are in a pitiable condition to whom compensation on an urgent basis has to be provided,” the Supreme Court observed in the order.

The court said how the State has again not disclosed the steps it has taken to provide medical facilities or treatment or rehabilitation to victims to deal with life-long health issues arising out of the effects of endosulfan.

“The right to health is an integral part of the right to life under Article 21 of the Constitution. Without health, the faculties of living have little meaning,” the court noted.

Opting to take recourse to the “coercive arm of law” to address the immediate concerns to provide relief to victims, “who are suffering”, the Bench directed the Chief Secretary to hold monthly meetings to identify the victims of Endosulfan and draw up a list of beneficiaries; to ensure the disbursement of compensation of Rs. 5 lakh to each victim; and take steps to provide victims medical facilities in terms of the Supreme Court judgment and subsequent orders.

The court also ordered the State to pay Rs. 50,000 each to the eight contempt petitioners within three weeks for delayed payment of compensation to them.

The Bench ordered Kerala to file a compliance affidavit before the next date of hearing on July 18, 2022.

In the earlier hearings, Kerala had claimed that it had earmarked over Rs. 180 crore for payment of compensation to victims, who had fallen prey to the pesticide used in cashew plantations.

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