

Gauhati High Court

Gautam Uzir vs The Union Of India And 5 Ors on 4 October, 2021

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GAHC010092502020

THE GAUHATI HIGH COURT  
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : PIL/39/2020

GAUTAM UZIR  
S/O- LT. P.C.UZIR, R/O- UZANBAZAR, P.O. UZANBAZAR, DIST.- KAMRUP  
(M), ASSAM

VERSUS

THE UNION OF INDIA AND 5 ORS.  
REP. BY THE SECY., MINISTRY OF PETROLEUM AND NATURAL GAS,  
SHASTRI BHAVAN, GOVT. OF INDIA, NEW DELHI

2:THE SECRETARY  
MINISTRY OF PETROLEUM AND NATURAL GAS  
SHASTRI BHAVAN  
GOVT. OF INDIA  
NEW DELHI

3:THE STATE OF ASSAM  
REP. BY THE CHIEF SECY.  
ASSAM SACHIVALAYA  
DISPUR  
GHY-06  
ASSAM

4:THE DY. COMMISSIONER  
TINSUKIA  
OFFICE OF THE DY. COMMISSIONER  
P.O. BORGURI  
PIN- 786126  
DIST.- TINSUKIA

5:THE OIL INDIA LTD.  
A PUBLIC SECTOR UNDERTAKING

HAVING ITS REGD. OFFICE AT DULIAJAN  
P.O. AND P.S. DULIAJAN  
DIST.- DIBRUGARH

Page N

PIN- 786602

REP. BY ITS CHAIRMAN-CUM-MANAGING DIRECTOR

6:THE MANAGING DIRECTOR

M/S JOHN ENERGY LTD.

PLOT NO.220

GIDC

ESTATE

MEHSANTA 384002

GUJARA

Advocate for the Petitioner : MR G UZIR

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE HON'BLE MR. JUSTICE N. KOTISWAR SINGH HON'BLE MR. JUSTICE MANISH CHOUDHURY order 04-10 -2021 [N. Kotiswar Singh, J] Heard Mr. G. Uzir, the petitioner-in-person. Also heard Mr. R.K. Dev Choudhury, learned Asstt. SGI appearing for the respondent nos. 1 & 2, Ms. M. Bhattacharya, learned State Counsel appearing for the respondent nos. 3 & 4 and Mr. K. Kalita, learned counsel appearing on behalf of Mr. S.N. Sarma, learned Senior Standing Counsel, OIL India Limited appearing for the respondent no.5.

2. The present petition has been filed for directing the respondent authorities to award adequate compensation to the members of the families, living in the area of Baghjan of Tinsukia district, who were affected due to the massive fire, irrupted due to the spill of oil Page No.# 3/4 from Baghjan Oilfield maintained by the respondent no.5.

3. Vide order dated 09.03.2021, this Court had directed the District Judge, Tinsukia to conduct an inquiry as to whether the victim families have been duly compensated by the authorities or not. In this regard the District & Sessions Judge, Tinsukia had submitted a report which was forwarded to the Registry of this Court on 20.07.2021 after making a detail inquiry of the matter and concluding that the compensation was released to every genuine person/ family of the locality of the Baghjan blowout with fire who suffered loss and damage in the said gas blowout and fire incident and in this regard the report also shows that a sum of Rs.102,53,45,000/- has also been released in favour of 13,513 beneficiaries. The relevant portion of the report submitted by the District & Sessions Judge, Tinsukia reads as follows:

"In fact, the compensation to affected people was released only due process of assessment, identification, and determination of loss at grass-root level by a team, consisting of various departments of government with other concerned officials and local representatives of villages and Oil India officials. Hence, it can safely be held that compensation was released to every genuine person/family of locality of Baghjan blowout with fire who suffered loss or damage in the said gas blowout and fire incident at Baghjan oil well. Accordingly, the enquiry is hereby concluded."

4. In view of the inquiry report submitted by the District & Sessions Judge, Tinsukia stating that adequate compensation has been given to the affected persons/families, we are of the view that the

main relief claimed in this PIL has been addressed by the competent authorities by releasing compensation to the victims of the aforesaid incident. Mr. G. Uzir, learned counsel for the petitioner also fairly submits that from the report it is clearly seen that Page No.# 4/4 the compensation has been paid to the victims located in the primary as well as in the secondary areas of the locality of Baghjan where the alleged blowout and fire incident occurred and as such, nothing survives in this case for further consideration.

5. Accordingly, after hearing the parties and on perusal of the materials available on records, we are inclined to close this PIL in the light of the report submitted by the District & Sessions Judge, Tinsukia.

JUDGE

JUDGE

Comparing Assistant