

ITEM NO.10

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SUO MOTU WRIT PETITION (CRIMINAL) NO. 2 OF 2024

**IN RE: ALLEGED RAPE AND MURDER
INCIDENT OF A TRAINEE DOCTOR IN
R.G. KAR MEDICAL COLLEGE AND HOSPITAL,
KOLKATA AND RELATED ISSUES**

Petitioner(s)

VERSUS

Respondent(s)

(IA No. 216527/2024 - ADDITION / DELETION / MODIFICATION PARTIES
IA No. 199834/2024 - APPLICATION FOR PERMISSION
IA No. 200162/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 227195/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 192912/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 200117/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 213939/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 192251/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 205856/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 187646/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 199837/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 227312/2024 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 190236/2024 - CLARIFICATION/DIRECTION
IA No. 213698/2024 - CLARIFICATION/DIRECTION
IA No. 237323/2024 - CLARIFICATION/DIRECTION
IA No. 216488/2024 - CLARIFICATION/DIRECTION
IA No. 227275/2024 - CLARIFICATION/DIRECTION
IA No. 214173/2024 - EXEMPTION FROM APPOINTMENT OF OFFICIAL
TRANSLATOR
IA No. 214175/2024 - EXEMPTION FROM FILING AFFIDAVIT
IA No. 216490/2024 - EXEMPTION FROM FILING O.T.
IA No. 195966/2024 - INTERVENTION APPLICATION
IA No. 207472/2024 - INTERVENTION APPLICATION
IA No. 185851/2024 - INTERVENTION APPLICATION
IA No. 190235/2024 - INTERVENTION APPLICATION
IA No. 194010/2024 - INTERVENTION APPLICATION
IA No. 199832/2024 - INTERVENTION APPLICATION
IA No. 185574/2024 - INTERVENTION APPLICATION
IA No. 187814/2024 - INTERVENTION APPLICATION
IA No. 188500/2024 - INTERVENTION APPLICATION
IA No. 214099/2024 - INTERVENTION APPLICATION
IA No. 205860/2024 - INTERVENTION APPLICATION
IA No. 237813/2024 - INTERVENTION APPLICATION
IA No. 187656/2024 - INTERVENTION APPLICATION
IA No. 188323/2024 - INTERVENTION APPLICATION
IA No. 199127/2024 - INTERVENTION APPLICATION

IA No. 200097/2024 - INTERVENTION APPLICATION
 IA No. 185498/2024 - INTERVENTION APPLICATION
 IA No. 188278/2024 - INTERVENTION APPLICATION
 IA No. 192250/2024 - INTERVENTION APPLICATION
 IA No. 198082/2024 - INTERVENTION APPLICATION
 IA No. 203944/2024 - INTERVENTION APPLICATION
 IA No. 213387/2024 - INTERVENTION APPLICATION
 IA No. 187643/2024 - INTERVENTION APPLICATION
 IA No. 192100/2024 - INTERVENTION APPLICATION
 IA No. 209463/2024 - INTERVENTION APPLICATION
 IA No. 216487/2024 - INTERVENTION APPLICATION
 IA No. 187964/2024 - INTERVENTION/IMPLEADMENT
 IA No. 200160/2024 - INTERVENTION/IMPLEADMENT
 IA No. 206745/2024 - INTERVENTION/IMPLEADMENT
 IA No. 224019/2024 - INTERVENTION/IMPLEADMENT
 IA No. 199662/2024 - INTERVENTION/IMPLEADMENT
 IA No. 206035/2024 - INTERVENTION/IMPLEADMENT
 IA No. 185565/2024 - INTERVENTION/IMPLEADMENT
 IA No. 188328/2024 - INTERVENTION/IMPLEADMENT
 IA No. 192908/2024 - INTERVENTION/IMPLEADMENT
 IA No. 185545/2024 - INTERVENTION/IMPLEADMENT
 IA No. 198027/2024 - INTERVENTION/IMPLEADMENT
 IA No. 187639/2024 - INTERVENTION/IMPLEADMENT
 IA No. 199836/2024 - INTERVENTION/IMPLEADMENT
 IA No. 202450/2024 - INTERVENTION/IMPLEADMENT
 IA No. 192097/2024 - MODIFICATION OF COURT ORDER
 IA No. 187815/2024 - PERMISSION TO APPEAR AND ARGUE IN PERSON
 IA No. 199128/2024 - PERMISSION TO APPEAR AND ARGUE IN PERSON
 IA No. 207518/2024 - PERMISSION TO APPEAR AND ARGUE IN PERSON
 IA No. 214172/2024 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 223279/2024 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 199839/2024 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 233987/2024 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 203687/2024 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 197285/2024 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 187637/2024 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES
 IA No. 200098/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION
 IA No. 187974/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION
 IA No. 187971/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

WITH
W.P.(Crl.) No. 351/2024 (PIL-W)
 (FOR ADMISSION)

Date : 10-12-2024 These matters were called on for hearing today.

CORAM :

**HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KUMAR**

By Courts Motion

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 Mr. Shashibhushan P. Adgaonkar, AOR

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Mr. Maninder Singh, Sr. Adv.*

UPON hearing the counsel, the Court made the following
O R D E R

Seventh Status Report has been submitted by the Central Bureau of Investigation in a sealed cover. After perusal of the said report, the same has been returned.

During the course of hearing, it is stated that 43 witnesses have been examined and the trial is proceeding on a day-to-day basis at 2 p.m. from Monday to Thursday. In all, about 51 witnesses have to be examined by the prosecution.

This Court, *vide* order dated 20.08.2024, constituted a National Task Force¹, comprising the members of the medical profession and *ex officio* members, to formulate effective recommendations to remedy the issues of concern pertaining to the safety, working conditions and well-being of medical professionals and other cognate matters highlighted in the order. It was also directed that the NTF should consider and prepare an action plan, which may be categorized under two heads - (I) Preventing violence, including gender-based violence against medical professionals; and (II) Providing an enforceable national protocol for dignified and safe working conditions for interns, residents, senior residents, doctors, nurses and other medical professionals.

1 For short, "NTF".

By order dated 22.08.2024, the NTF was asked to hear representatives of diverse stakeholders to enable it to have inputs from all those who are concerned with the process. Additional suggestions were also given, including institutionalization of distress call systems; regulation of duty hours; and constitution of a compensation distress fund.

The NTF's report was filed by the Union of India along with an affidavit dated 04.11.2024. A copy of the said report has been submitted to the State Governments. The State Governments shall file their response to the recommendations made by the NTF, which will be placed before the NTF for their observations and comments.

A number of parties seek to appear before us and have filed applications offering their recommendations and suggestions. A compilation of the same would be sent to the NTF for their examination and comments. The recommendations and suggestions, if deemed appropriate, may also be taken into consideration while preparing the further report to be submitted by the NTF before this Court.

The State Governments will file their response to the report submitted by the NTF within a period of six weeks from today. The Registry will forward the recommendations and suggestions made by the parties to the NTF within a period of ten days from today. Parties may independently approach the NTF with their recommendations and suggestions within that time. The suggestions and recommendations may be forwarded by email to suomotuwrit2@gmail.com.

We request the NTF to submit its report as early as possible

and preferably within a period of twelve weeks from today.

The response given by the State of West Bengal will be served on the Junior Resident Doctors and consultant Senior Doctors, who have entered appearance before this Court.

Re-list in the week commencing 17.03.2025.

The parties are given liberty to mention the matter in the meanwhile, in case there is any delay in the trial pending before the Sessions Court at Sealdah, Kolkata, West Bengal.

The request made by the Resident Doctors of All India Institute of Medical Sciences, Delhi, with regard to regularization of absence, will be considered within a period of ten days from today.

I.A. Nos. 216487/2024 and 216488/2024

Learned counsel for the applicant(s) seek permission to withdraw the present applications stating that the issue is pending before the High Court.

In view of the statement made and without making any comments, the applications are dismissed as withdrawn.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR

*Online appearance/physical appearance is not received.