

GAHC010089442021



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

Case No. : PIL/31/2021

ADVOCATES ASSOCIATION FOR INDIGENOUS RIGHTS OF ASSAMESE AND
ONE OTHER

HOUSE NO. 24, CHANDMARI, KRISHNA NAGAR, SEUJI PATH, AEI ROAD,
PO SILPUKHURI, GUWAHATI 781003 REPRESENTED BY THE PRESIDENT
SAMUDRAGUPTA DUTTA

2: SAMUDRAGUPTA DUTTA

S/O SRI DEVEN DUTTA
RESIDENT OF HOUSE NO. 12
SEUJ NEER
SUNDARPUR
RG BARUAH ROAD
GUWAHATI 78100

VERSUS

THE STATE OF ASSAM AND 5 ORS
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,
DISPUR GUWAHATI 781006, ASSAM

2:THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM HEALTH AND FAMILY WELFARE DISPUR
GUWAHATI 781006
KAMRUP M ASSAM

3:THE PRINCIPAL SECRETARY
REVENUE AND DISASTER MANAGEMENT
DISPUR
GUWAHATI 781006
KAMRUP M ASSAM

4:THE ASSAM STATE DISASTER MANAGEMENT AUTHORITY
REPRESENTED BY THE CHIEF EXECUTIVE OFFICER

DISPUR
GUWAHATI 781006
KAMRUP M ASSAM

5:THE NATIONAL RURAL HEALTH MISSION (NRHM)
REPRESENTED BY THE MISSION DIRECTOR
N.R.H.M. SIAKIA COMMERCIAL COMPLEX
SRINAGAR PATH

CHRISTIAN BASTI
GUWAHATI
781006 ASSAM

6:UNION OF INDIA
REPRESENTED BY THE SECRETARY TO THE GOVT. MINISTRY OF HOME
AFFAIRS
NEW DELHI 11000

Advocate for the Petitioner : MR K K MAHANTA

Advocate for the Respondent : SC, REVENUE

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. SUDHANSHU DHULIA

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

23-06-2021

(Sudhanshu Dhulia, CJ)

The matter is taken up through video conferencing.

Heard Mr. KK Mahanta, learned senior counsel for the petitioner. Also heard Mr. D Saikia, learned Advocate General, Assam assisted by Mr. RK Borah, learned Government Advocate, Assam.

Mr. KK Mahanta, learned senior counsel for the petitioner has presently made a limited prayer for reconsideration of the maximum rates fixed by the Government for COVID patients in private hospitals, which according to him, are slightly on the higher side compared to equal cities throughout the country. The

rates are as under:

Particulars	General Ward (Per day) (Rs.)	Share cabin (Per day) (Rs.)	ICU without ventilator (Per day) (Rs.)	ICU with ventilator (Per day) (Rs.)
Super speciality Hospitals	5,000	6,500	10,000	15,000
Other than Super speciality Hospitals	4,000	5,000	9,000	12,000

Mr. KK Mahanta, learned senior counsel for the petitioner would argue that these rates are slightly on the higher side.

Since all the details are not available to us, we are not in a position to give any specific directions. However, since *prima facie* it appears to be slightly on the higher side, we can only direct the State Government that it may reconsider these prices, including the rate of single cabin, after hearing all the stakeholders.

Put up on **15.07.2021.**

JUDGE

CHIEF JUSTICE

Comparing Assistant