

GAHC010086642023



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

Case No. : PIL/34/2023

DR. ABHIJIT NEOG
S/O- LATE D. P. NEOG, AGED ABOUT 57 YEARS, R/O- HOUSE NO. 15,
BYE-LANE NO. 7, SUB-LANE 2, LACHIT NAGAR, GUWAHATI-781007.

VERSUS

1: UNION OF INDIA AND 10 ORS REPRESENTED BY THE SECRETARY,
MINISTRY OF HEALTH AND FAMILY WELFARE, GOVERNMENT OF INDIA,
NIRMAN BHAWAN, NEW DELHI 110011.

2:THE NATIONAL MEDICAL COMMISSION POCKET-14 SECTOR-8
DWARKA PHASE-1 NEW DELHI-110077 REPRESENTED BY ITS CHAIRMAN.

3:THE SECRETARY MINISTRY OF AYUSH GOVERNMENT OF INDIA
AYUSH BHAWAN B BLOCK GPO COMPLEX INA NEW DELHI 110023.

4:THE STATE OF ASSAM REPRESENTED BY THE PRINCIPAL SECRETARY
TO THE GOVERNMENT OF ASSAM HEALTH AND FAMILY WELFARE
DEPARTMENT DISPUR GUWAHATI-6.

5:THE CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM
DISPUR SECRETARIAT COMPLEX GUWAHATI-6.

6:THE DIRECTOR OF HEALTH SERVICE HEALTH AND FAMILY WELFARE
DEPARTMENT GOVERNMENT OF ASSAM HENGRABARI GUWAHATI
ASSAM 781036

7:THE DIRECTOR OF MEDICAL EDUCATION HEALTH AND FAMILY
WELFARE DEPARTMENT GOVERNMENT OF ASSAM KHANAPARA SIX
MILE GUWAHATI ASSAM-781022.

8:THE COMMISSIONER AND SECRETARY MEDICAL EDUCATION AND
RESEARCH DEPARTMENT GOVERNMENT OF ASSAM DISPUR GUWAHATI-
6.

9:THE ASSAM COUNCIL OF MEDICAL REGISTRATION SIX MILE
KHANAPARA GUWAHATI-781022 REPRESENTED BY ITS REGISTRAR.

10:THE DIRECTOR OF AYUSH ASSAM ASSAM 3RD FLOOR SAIKIA
COMMERCIAL COMPLEX SHREE NAGAR PATH CHRISTIAN BASTI
GUWAHATI-05.

11:THE HOME AND POLITICAL DEPARTMENT GOVT. OF ASSAM
REPRESENTED BY ITS PRINCIPAL SECRETARY GOVT. OF ASSAM DISPUR
GUWAHATI-6

For the Petitioner(s) : Mr. I. Chowdhury, Sr. Advocate, assisted by Mr. S. Biswakarma,
Advocate.

For the Respondent(s) : Mr. R.K.D. Choudhury, Deputy Solicitor General of India.
: Mr. B. Gogoi, Standing Counsel, Health Department.
: Mrs. R.B. Bora, Junior Govt. Advocate, Assam.

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. VIJAY BISHNOI
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI

13.03.2025
(Vijay Bishnoi, CJ)

Pursuant to the direction given by this Court, the Director of Health Services, Assam has filed an affidavit on 07.03.2025 highlighting the action taken in each district of Assam to identify the quacks and the action taken against them. It is mentioned in the said affidavit that in almost each of the district, the Anti Quackery Units are already formed and they are regularly inspecting the clinical establishments in each district.

Mr. B. Gogoi, learned Standing Counsel, Health Department has also informed that the Assam Council of Medical Registration has appointed the petitioner as Anti Quackery & Vigilance Officer of the Assam Council of Medical Registration for monitoring the Anti Quackery Movements initiated at the instance of the State as well as the Assam Council of Medical Registration.

Mr. I. Chowdhury, learned senior counsel for the petitioner has submitted that though as per the affidavit filed on behalf of the Director of Health Services, Assam, some action has been taken against the quacks operating in each district of the State of Assam, however, he has submitted that the speed by which the inspection of the clinical establishments is carried out by the Anti Quackery Units is not satisfactory.

Having heard the learned counsel appearing for the parties and after going through the material available on record, we deem it appropriate to list this PIL petition in the **3rd week of July, 2025**.

On the next date fixed, the State may file the latest factual report regarding the action taken against the quacks by the Anti Quackery Units and the petitioner may also file the action taken against the quacks by him after his appointment as Anti Quackery & Vigilance Officer by the Assam Council of Medical Registration.

JUDGE

CHIEF JUSTICE

Comparing Assistant