

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (PIL) No. 50 of 2020

In re in the matter of to provide adequate security to
doctor and other para medical professions

.....Petitioner

Versus

Principal Secretary/Secretary, Health Department, Govt.
of Uttarakhand, Dehradun

.....Respondent

Coram: Hon'ble Sudhanshu Dhulia, J.
Hon'ble Ravindra Maithani, J.

Heard learned counsel for the petitioner Mr. Dushyant Mainali (in person), learned Advocate General for the State Mr. S.N. Babulkar and the learned Chief Standing Counsel Mr. Paresh Tripathi, who are assisted by Mr. Anil Bisht, Standing Counsel for the State of Uttarakhand, Mr. Rakesh Thapliyal, learned Assistant Solicitor General of India assisted by Mr. Sanjay Bhatt, Central Government Standing Counsel.

2. In this Public Interest Litigation, a very important and timely concern has been raised by the petitioner, which is regarding availability of medical equipment, particularly the protective gear in the form of PPE (Personal Protective Equipment) for the doctors, para-medics, nurses, etc. who are in the frontline of this fight against COVID 19 pandemic.

3. The learned Advocate General has apprised this Court that they have enough PPE suits in the store. The concerned Government hospitals have also been supplied with this equipment as per their need and requirement. He would further be filing a detail reply as to what measures have been taken by the Government complying with the guidelines of WHO dated 27.02.2020 and the guidelines of the Ministry of Health, Government of India dated 25.03.2020.

4. The learned Advocate General may also apprise this Court whether any additional measures can be incorporated in atleast the main and the most frequently visited Government hospitals of the State, so that the doctors who are examining the patients in their OPD are properly protected in these times.

5. The State Government have also raised their concern that they have only three laboratories where testing facilities is available. These are – (i) Sushila Tiwari Medical College and Hospital, Haldwani (ii) All India Institute of Medical Sciences, Rishikesh and (iii) Doon Medical College, Dehradun. The concern of the State is that these three laboratories are not enough and their number must be raised.

6. After hearing all the concerned authorities, there is a common consensus (including that of learned Assistant Solicitor General of India Mr. Rakesh Thapliyal who represents the Union of India), that it is desirable that at least three more testing laboratories may be made functional i.e. one each at (i) Haridwar (ii) Udham Singh Nagar and (iii) Nainital/Ramnagar.

7. Although Mr. Rakesh Thapliyal has not given any commitment on this aspect, but has assured this Court that he will consult the relevant Ministry of Government of India and apprise this Court on the next date of listing.

8. The State of Uttarakhand as well as Union of India shall file their reply in the format prescribed by the Registry by 05:00 p.m. on 17.04.2020.

9. Put up on 18.04.2020 at 11:00 a.m.

(Ravindra Maithani, J.)

(Sudhanshu Dhulia, J.)

15.04.2020

Avneet