

ITEM NO.1

Court 5 (Video Conferencing)

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

Writ Petition(s)(Civil) No(s). 193/2016

DR.ASHWANI KUMAR

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(IA No. 53824/2020 - APPROPRIATE ORDERS/DIRECTIONS and IA No. 53821/2020 - EARLY HEARING APPLICATION)

Date : 04-08-2020 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE R. SUBHASH REDDY

Amicus Curiae Mr. Mathew Cherian (Helpage)

For Petitioner(s) Dr. Ashwani Kumar, Petitioner-in-person

For Respondent(s) Mr. Rupinder Singh Suri, ASG
Ms. V. Mohana, Sr. Adv.
Mr. D.L. Chidanand, Adv.
Mr. S.K. Gupta, Adv.
Mr. Shalinder Saini, Adv.
Mr. B.V. Balaramdas, Adv.
Mr. Raj Bahadur Yadav, Adv.
Mr. V.V.V. Pattabhi Ram, Adv.
Mr. R.R. Rajesh, Adv.

States

A.P. Mr. Mahfooz A. Nazki, AOR
Mr. Polanki Gowtham, Adv.
Mr. Amitabh Sinha, Adv.

Assam Mr. Shuvodeep Roy, Adv.

Bihar Mr. Gopal Singh, AOR
Mr. Manish Kumar, Adv.

Delhi Mr. Chirag M. Shroff, Adv.

Mr. R.S. Suri, ASG
Ms. V. Mohana, Sr. Adv.
Mr. D.L. Chidanand, Adv.
Mr. Shalinder Saini, Adv.
Mr. B.V. Balaram Das, Adv.

Gujarat	Ms. Deepanwita Priyanka, Adv.
Haryana	Mr. Anil Grover, AAG Ms. Noopur Singhal, Adv. Mr. Rahul Khurana, Adv. Mr. Sanjay Kumar Visen, Adv.
H.P.	Mr. Abhinav Mukerji, Adv. Mr. Bihu Sharma, Adv. Ms. Pratishtha Vij, Adv.
Jharkhand	Mr. Tapesht Kr. Singh, Adv. Mr. Aditya Pratap Singh, Adv.
Karnataka	Mr. V. N. Raghupathy, AOR
Kerala	Mr. G. Prakash, Adv. Mr. Jishnu M.L., Adv.
Maharashtra	Mr. Sachin Patil, Adv. Mr. Rahul Chitnis, Adv.
Manipur	Mr. Pukhrambam Ramesh Kumar, Adv. Ms. Anupama Ngangom, Adv. Mr. Karun Sharma, Adv. Shresth Sharma, Adv.
Mizoram	Mr. Siddhesh Kotwal, Adv. Ms. Arshiya Ghose, Adv. Ms. Astha Sharma, Adv.
Nagaland	Ms. K. Enatoli Sema, Adv. Mr. Amit Kumar Singh, Adv.
Odisha	Mr. Shibashish Mishra, Adv.
Punjab	Ms. Uttara Babbar, Adv. Ms. Bhavana Duhoon, Adv. Mr. Manan Bansal, Adv.
Sikkim	Mr. Raghvendra Kumar, Adv. Mr. Anand Kumar Dubey, Adv. Mr. Narendra Kumar, AOR
Tamil Nadu	Mr. Jayant Muthuraj, Sr. Adv. Mr. M. Yogesh Kanna, AOR
Telangana	Mr. S. Udaya Kumar Sagar, Adv.

	Ms. Swati Bhardwaj, Adv.
Tripura	Mr. Shuvodeep Roy, AOR.
U.P.	Mr. Ravindra Raizada, Sr. Adv. Mr. Rajeev Kumar Dubey, Adv. Mr. Kamendra Mishra, Adv.
Uttarakhand	Ms. Rachana Srivastava, Adv.
West Bengal	Mr. Suhan Mukherji, Adv. Mr. Vishal Prasad, Adv. Mr. Amit Verma, Adv. For M/s PLR Chambers & Co.
<u>UTs</u>	
A & N	Mr. K.V. Jagdishvaran, Adv. Mrs. G. Indira, Adv.
Chandigarh	Mr. Saran Thakur, Adv. Mr. Ramesh Babu MR, Adv.
Puducherry	Mr. V.G. Pragasaam, Adv. Mr. S. Prabu Ramasubramanian, Adv.

UPON hearing the counsel the Court made the following

O R D E R

I.A. No. 53821 of 2020

We have heard Dr. Ashwani Kumar appearing in person and Ms. V. Mohana, learned senior counsel for the Union of India and other counsel.

This Court has already issued directions on 13.12.2018 which need to be complied with by all concerned including the States. By this application, certain further directions have been sought by the petitioner in person with regard to older people who need more care and protection in this pandemic of Covid 19. The petitioner in person says that the older people have already been identified since most of them are getting pension from the States under the

different schemes. He submits that the older people, who are living alone, are worst sufferers and they are not able to get medicines, masks, sanitizers and other essential goods. The care givers of these people are also not equipped with personal protection equipment and are also untrained. The prayer has also been made for issuing appropriate direction for timely payment of old age pension to all elder persons who are in receipt of the pension.

Learned counsel appearing for the Union of India submits that the necessary steps have been taken to give protection to the older people in this pandemic.

This Court has already issued directions on 13.12.2018 with regard to other aspects. We, in this application, which is specially confined to Covid 19 crisis, direct that all old age people who are eligible for pension should be regularly paid pension and those identified older people should be provided necessary medicines, masks, sanitizers and other essential goods by respective States. Further, as and when any individual request is made, the same shall be attended to by the Administration with all promptness. The care givers of those old age homes should be provided personal protection and appropriate sanitization should also be undertaken in the old age homes. Let all the States may file their reply affidavit to the averments made in the application within four weeks.

I.A. No. 53824/2020

The grievance has been raised by the petitioner in person that

the elderly people are not getting priority in the Government hospital irrespective of their capacity to pay.

Learned counsel for the State submits that in the Government hospital, the treatment of Covid 19 is free. We only observe that the elderly people should be given priority in the admission in the Government hospital looking to their vulnerability for Covid 19. In event of any complaint made by the elderly people, the hospital administration concerned shall take immediate steps to remedy their grievances.

Learned counsel for the State may obtain a copy of these applications from the Registry on a request being made.

List the applications after four weeks.

(MEENAKSHI KOHLI)
AR-CUM-PS

(RENU KAPOOR)
COURT MASTER