

GAHC010087832021



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

Case No. : PIL/27/2021

ANJAN NAGG
S/O ABDAN NAGG
C/O JC DAS, PRAGATI PATH, DAKHIN KHALIAMARI, DIBRUGARH, 786001

VERSUS

UNION OF INDIA AND 5 ORS.
THROUGH ITS SECRETARY, MINISTRY OF HEALTH AND FAMILY
WELFARE, GOVT. OF INDIA, NIRMAN BHAWAN,, NEAR UDYOG BHAWAN,
METRO STATION, MAULANA AZAD ROAD, NEW DELHI 110011

2:THE STATE OF ASSAM
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
BLOCK C
3RD FLOOR
ASSAM SECRETARIATE
DISPUR GUWAHATI 781006

3:MINISTRY OF HEALTH AND FAMILY WELFARE

GOVT. OF ASSAM
REPRESENTED BY THE SECRETARY ESTABLISHMENT BRANCH (HEALTH
A AND HEALTH B) BLOCK D (GROUND FLOOR) ASSAM SECRETARIATE
DISPUR GUWAHATI 781006

4:NATIONAL EXECUTIVE COMMITTEE

UNDER THE DISASTER MANAGEMENT ACT
REPRESENTED BY ITS CHAIRMAN MINISTRY OF HOME AFFAIRS
GOVT OF INDIA
NORTH BLOCK
NEW DELHI 110001

5:ASSAM STATE DISASTER MANAGEMENT AUTHORITY
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM
ANCILLARY BLOCK
JANATA BHAWAN
DISPUR
GUWAHATI 781006

6:NATIONAL HEALTH MISSION
ASSAM
REPRESENTED BY ITS MISSION DIRECTOR
SAIKIA COMMERCIAL COMPLEX
SRINAGAR PATH
CHRISTIAN BASTI
GS ROAD
GUWAHATI 78100

Advocate for the Petitioner : MR. W SHARMA

Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE N. KOTISWAR SINGH
HONOURABLE MR. JUSTICE MANISH CHOUDHURY

ORDER

Date : 04.10.2021
(N. Kotiswar Singh, J)

Heard Mr. A. Phukan, learned counsel for the petitioner. Also heard Mr. R.K.D. Choudhury, learned ASGI for respondent nos. 1 and 4; Mr. D.P. Borah, learned Standing Counsel, Health Department for respondent no. 3; and Ms. N. Bordoloi, learned Standing Counsel, Revenue Department for respondent no. 5.

2. This Court had passed an order on 07.06.2021 expressing the hope that the Government may open a dedicated post Covid clinic in a government hospital or in a medical college in Kamrup (Metro) on experimental basis to take care of various post Covid complicacies which may arise to a Covid patient after recovery. Pursuant thereto, the State Government filed an affidavit on

14.06.2021 highlighting the various steps and arrangements made to deal with post Covid care.

3. In this regard, Mr. Borah has drawn our attention to a letter dated 04.05.2021 from the Director of Medical Education, Assam addressed to all the head of the institutions of the various government medical colleges in the State of Assam for making necessary arrangements for availability of beds with adequate oxygen supply and sufficient medications for such patients, deployment of a Specialist team of Doctors especially for patients with Post Covid complications and other co-morbidities for their proper treatment and frequent monitoring of their health conditions and arrangement for special investigations including C.T., X-ray of such patients, etc.

Annexure-2 to the said affidavit also has shown in more details the various arrangements made in the aforesaid government institutions.

4. While the aforesaid steps taken are most welcome to deal with such issues for post Covid complications, Mr. Phukan, learned counsel for the petitioner has highlighted the importance of having one centralized unit, preferably a clinic as recommended by the Parliamentary Standing Committee on Health and Family Welfare . The Committee observed that a regular and comprehensive follow-up of people having recovered from COVID-19 would help define the clinical and care needs. Such information can also be used to modify/improvise the post COVID treatment model/protocol and plan. The Committee recommended the Ministry to set up post-COVID clinics, on the lines of AIIMS Delhi, to look after the recovered patients who are facing post COVID 19 illness issues like breathless, body ache, fatigue etc and provide conselling, yoga, physiotherapy, consultation and medication to boost immunity on case to

case basis to ensure their full proof treatment including rehabilitation. The Committee was apprised by the Secretary that the Ministry is carrying out post-Covid sequelae where the number of people who suffer from heart related, respiratory, renal problems post recovery from COVID are being documented. The Committee appreciated the initiative of the Department as such documentation is essential for providing a comprehensive treatment and for shaping the post covid care approach of the healthcare system. Not only this, the documentation would be of immense help in enriching knowledge and proof research projects related to Covid-19 for better research outcome that would be beneficial in combating the future pandemic.

Mr. Phukan has also drawn attention to paper prepared by Nature Medicine Journal in its review article titled "Post-acute Covid-19 syndrome" in terms of the various researches done by specialists in this regard and for setting up a clinic for such purpose.

Thus, there is also experts' views in the domain suggesting setting up of a separate clinic dedicated to deal with post Covid complications.

5. In that context, this Court made the observation and expressed a desire as reflected in the order dated 07.06.2021. Though, we have noted the steps already taken by the State Government, we feel that there is no mention of establishment of any centralized office or unit or ward or clinic where patients with post Covid complications can go and get their problems addressed. Though arrangements have been made as reflected in the affidavit, it appears to be decentralized and scattered. In our view, a more cohesive form of service may be required to be given by opening a ward or unit or a centre as the case may be.

6. In this regard, Mr. Borah submits that he would like to come back with some more details as to the steps that may be taken by the State Government.

7. In view of the above, we adjourn this matter to 10.11.2021.

8. In any event, this facility to be provided to the post Covid patients needs to be widely publicised as many patients who have suffered with Covid infection are not aware of any such post Covid treatment/consultation which may be available in various government hospitals/health care centres.

JUDGE

JUDGE

Comparing Assistant