



(Proceedings through Video Conferencing)

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPPIL No. 27 of 2020

Suo Moto WP (PIL) Versus State Of Chhattisgarh  
WPPIL/46/2021, WPPIL/47/2021, WPPIL/48/2021

17/05/2021	<p>Shri Prafull N Bharat, Adv. appears as <i>amicus curiae</i>.</p> <p>Shri Rakesh Pandey, Adv. for the petitioner in WP PIL No.46 of 2021.</p> <p>Shri Awadh Tripathi, Adv. for the petitioner in WP PIL No.47 of 2021.</p> <p>Shri Tushar Dhar Diwan, Adv. for the petitioner in WP PIL No.48 of 2021.</p> <p>Shri Satish Chandra Verma, Advocate General and Shri V. Giri, Senior Advocate with Shri Vivek Ranjan Tiwari, Addl. Adv. General, Shri Chandresh Shrivastava, Dy. Adv. General and Shri Vikram Sharma, Dy. Govt. Adv. for the State.</p> <p>Shri Ramakant Mishra, Adv. for the UOI.</p> <p>Shri Abhishek Sinha, Adv. for the Railways.</p> <p>Shri Ashish Shrivastava, Adv. for the SLSA.</p>



Shri Sandeep Dubey, Shri Palash Tiwari, Shri Anumeh Shrivastava, Shri Sudiep Shrivastava, Shri A.V. Sridhar, Adv. for the respective interveners.

Shri Himanshu Chaubey, intervenor in person.

Heard.

In course of hearing of intervention applications, interlocutory applications and connected PILs an important issue was raised before this Court that in compliance of State Government's order dated 9<sup>th</sup> May, 2021 the vaccination programme is going on by distributing the following quota of vaccines to the eligible categories :

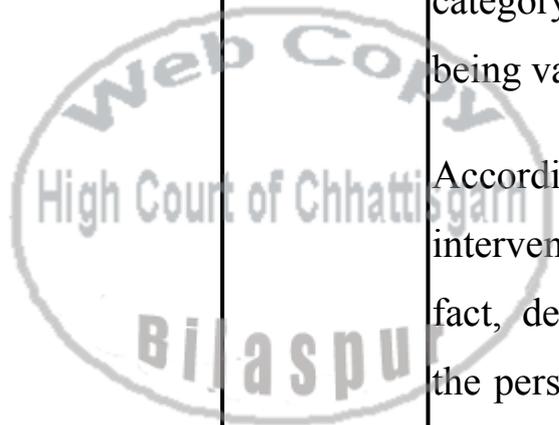
क्र	श्रेणी	कोविड वैक्सीन का आबंटन प्रतिशत
1.	फंटलाईन वर्कर (नीचे दी गई सूची अनुसार)	कुल उपलब्ध वैक्सीन डोज का 20%
2.	अंत्योदय राशन कार्ड, निराश्रित राशन कार्ड, अन्नपूर्णा राशन कार्ड एवं निःशक्तजन राशन कार्ड	शेष 80 प्रतिशत वैक्सीन डोज का 15% अर्थात कुल उपलब्ध वैक्सीन डोज का 12%
3.	बीपीएल राशन कार्ड	शेष 80 प्रतिशत वैक्सीन डोज का 65% अर्थात कुल उपलब्ध वैक्सीन डोज का 52%
4.	एपीएल श्रेणी	शेष 80 प्रतिशत वैक्सीन डोज का 20% अर्थात कुल उपलब्ध वैक्सीन डोज का 16%



It is argued that if the vaccine allotted to a particular category like Front Line Worker or Antyodaya (अंत्योदय) or BPL (Below Poverty Line) remained unused in a particular vaccination center at the end of the day, the same remains unused and the said order does not provide as to how the unused vaccines would be redistributed on the following day or any other day. It is further argued that vaccine quantity allocated to Antyodaya (अंत्योदय) category persons remains unused and at the same time persons belonging to other category and willing to be vaccinated returned without being vaccinated at the end of the day.

According to the learned counsel for the petitioners/interveners, the said non-utilisation of vaccines is, in fact, delaying the whole vaccination programme for the persons who are willing to be vaccinated, but they could not get the vaccination because the quantity allocated to their category is exhausted on a given date.

At this juncture, Shri V. Giri, learned senior counsel appearing for the State, would submit that the unused vaccines for any particular category is redistributed, but the same is not reflected in the order dated 9<sup>th</sup> May, 2021. Learned senior counsel would submit that the State Government is keen to vaccinate the entire population of the State at the earliest, however, that





depends on availability of vaccines. Learned senior counsel would submit that the affidavit shall be filed to explain the situation arising out of non-utilisation of Antyodaya (अंत्योदय) or any other category vaccines at the end of a particular day.

As prayed, post these matters day after tomorrow i.e. 19<sup>th</sup> May, 2021 only for considering the issue of redistribution of non-utilisation of Antyodaya (अंत्योदय) or any other category vaccines at the end of a particular day.

I.A.No.77 of 2021 i.e. application filed by the State for seeking modification/recall of order dated 4<sup>th</sup> May, 2021 shall be listed before the appropriate Bench.

Sd/-

Sd/-

(Prashant Kumar Mishra)  
Vacation Judge

(Parth Prateem Sahu)  
Vacation Judge

Gowri

