

GAHC010090972021



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

**Case No. : PIL/33/2021**

ASIF IQBAL  
S/O LATE KHAIRUL WARA,  
RESIDENT OF NEAR NEPALI MANDIR, TINSUKIA, ASSAM, 786125

VERSUS

THE STATE OF ASSAM AND 3 ORS. F  
REPRESENTED BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM,  
DISPUR GUWAHATI , 781006

2:THE COMMISSIONER AND SECRETARY  
TO THE GOVT. OF ASSAM  
HOME AND POLITICAL DEPARTMENT  
DISPUR  
GUWAHATI 781006

3:THE COMMISSIONER AND SECRETARY  
TO THE GOVT. OF ASSAM  
HEALTH AND FAMILY WELFARE DEPARTMENT  
DISPUR GUWAHATI  
781006

4:THE DIRECTOR GENERAL OF POLICE  
ASSAM  
ULUBARI  
KAMRUP M ASSAM 78100

**Advocate for the Petitioner : MR. S ISLAM**

**Advocate for the Respondent : GA, ASSAM**

Linked Case : PIL(Suo Moto)/4/2021

XXX  
GUWAHATI  
ASSAM

VERSUS

IN RE- THE PRINCIPAL SECRETARY TO THE GOVT. OF ASSAM AND 3 ORS  
HOME AND POLITICAL DEPARTMENT  
JANATA BHAWAN  
DISPUR GUWAHATI 781006

2:THE PRINCIPAL SECRETARY  
TO THE GOVT. OF ASSAM  
HEALTH AND FAMILY WELFARE DEPARTMENT  
JANATA BHAWAN  
DIPSUR GUWAHATI  
781006

3:THE DIRECTOR GENERAL OF POLICE  
ASSAM POLICE HEADQUARTER  
ULUBARI  
GUWAHATI 781007

4:THE SUPERINTENDENT OF POLICE  
HOJAI  
ASSAM

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Advocate for :

Advocate for : GA

ASSAM appearing for IN RE- THE PRINCIPAL SECRETARY TO THE GOVT. OF  
ASSAM AND 3 ORS

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

**ORDER**

**06.10.2021**

*(N. Kotiswar Singh, J.)*

Heard Mr. S. Islam, learned counsel for the petitioner in PIL 33/2021 and Ms. Sneha Kalita, learned counsel, assisted by Ms. B.K. Mahanta, learned counsel for the petitioner in

PIL(Suo Moto) 4/2021. Also heard Ms. S. Sarma, learned Government Advocate, Assam.

The state has filed an affidavit yesterday bringing on record the various measures/schemes put into place by the State Government for providing treatment and financial assistance and also for grant of compensation. However, Ms. Kalita, learned counsel submits that the said schemes referred to by the State Government are of general nature, more particularly, for the economically weaker sections of the society and not specifically meant for doctors who are victims of assault in discharging their duties specially during the challenging times of Covid-19 pandemic, for which the PIL(Sou Moto) 4/2021 has been taken up by this Court as well as PIL 33/2021 has been filed.

Ms. Sneha, learned counsel for the petitioner has also drawn our attention to the Notification dated 01.02.2019 issued by the Political (A) Department, Government of Assam providing for payment of compensation in respect of the victims of acid attack, victim of lynching, public mob violence, witch-hunting, rape, sexual assault, etc. The said scheme has been prepared under the Assam Victim Compensation Scheme, 2012 which is relatable to Section 357A of the CrPC. In this regard, Ms. Sneha submits that if the Government also prepares a similar scheme for providing compensation and social security in respect of the doctors and other frontline health workers who are exposed to serious risks while discharging their professional duties specially during the challenging times of Covid-19 pandemic, that would substantially take care of some of the grievances of the doctors and the healthcare workers.

The Government may also examine on this aspect and file their response on the next date, and we expect that the Government would come up with certain concrete proposals in

this regard when we assemble next.

List the cases on 23.11.2021.

**JUDGE**

**JUDGE**

**Comparing Assistant**