

June 16, 2021
AD 4,5,6,8 & 9
S.G/tgh

WPA (P) 133 of 2021
Anindya Sundar Das
Vs.
Administration of High Court at Calcutta & Ors.
With
WPA (P) 134 of 2021
Joveria Sabbah
Vs.
State of West Bengal & Ors.
With
WPA (P) 140 of 2021
Dr. Fuad Halim
Vs.
Union of India & Ors.
With
WPA (P) 154 of 2021
Jisha Sarkar
Vs.
The Union of India & Ors.
With
WPA (P) 159 of 2021
Covid Crisis Support Network & Ors.
Vs.
The Union of India & Ors.
(Through Video Conference)

Mr. Phiroze Edulji, Advocate
... for the petitioner in WPA(P) 133 of 2021
(through video conference).

Mr. Y.J. Dastoor, learned Addl. Solicitor General with
Mr. Arijit Majumder, Advocate
... for the union of India in WPA(P) 133 of 2021
(through video conference).

Mr. Kishore Datta, learned Advocate General with
Mr. Sayan Sinha, Advocate
... for the State
(through video conference).

Mr. Sabyasachi Chatterjee,
Ms. Joveria Sabba,
Mr. Sandipan Das,
Mr. Kushal Das, Advocates
... for the petitioner in WPA(P) 134 of 2021
(through video conference).

Mr. Y.J. Dastoor, learned Addl. Solicitor General
Mr. Phiroze Edulji,
Ms. Anamika Pandey, Advocates
... for the union of India in WPA(P) 140 of 2021
(through video conference).

Ms. Joveria Sabba, Advocate
... for the petitioner in WPA(P) 154 of 2021
(through video conference).

Mr. Sabyasachi Chatterjee,
Ms. Joveria Sabba,
Mr. Sandipan Das,
Mr. Kushal Das, Advocates

... for the petitioner in WPA(P) 159 of 2021
(through video conference).

At the time of hearing certain issues were raised by learned Counsel for the petitioners to streamline the vaccination and treatment for COVID-19 patients. The same are briefly noted as under:

- i) Population of the State living in urban area and rural area, separately with percentage thereof. It should specify the number of persons who are between the age of 18 to 45 years, 45 to 60 years and 60 years and above.
- ii) Number of vials of different vaccines made available to the State till date. The number of persons who could be vaccinated with the aforesaid vials.
- iii) The number of persons who have actually been vaccinated. The figure should be specific with regard to the age group and also the residents in the urban and rural areas. The details should also include the number of frontline workers who have been vaccinated and the categories thereof. Any scheme for vaccination of lawyers, their staff and the Court staff, as justice delivery system cannot be treated as an

ordinary Government Department as access to justice cannot be curtailed.

- iv) Present supply of the vaccines in the State on periodical basis and the percentage thereof by supplied by the State to the private hospitals.
- v) The number of vials consumed by the State in its hospitals and supplied to the private hospitals by the State. If any amount was charged from the private hospitals, the details thereof for different vaccines.
- vi) Whether the private hospitals were permitted to purchase the vaccines of their own, if yes, the number thereof.
- vii) The number of persons, if any, who have tested positive even after getting vaccinated after first dose and both the doses, separately.
- viii) The amount charged by the private hospitals for vaccination? Whether the amount has been fixed by the State Government or the private hospitals are at liberty to fix their own charges.
- ix) Any scheme prepared for vaccination of the differently abled persons, senior citizens including those living in old-age homes?
- x) Any scheme for vaccination of the employees of large labour intensive industrial units, transgenders, the children living in orphanage and the persons living in the red light areas?

- xi) Whether any special schemes had been framed for vaccination of a specific targeted group, if any, the details thereof.
- xii) Amount being charged from the patients and the families of the deceased by the private ambulances is another issue on which lot of hue and cry is raised. As to whether any rates have been fixed by the Government, if yes, the details thereof and the system to monitor the same.
- xiii) Charges fixed by the Government for COVID-19 testing in a private hospital.
- xiv) System for online registration for vaccination.
- xv) Availability of the beds in different hospitals and also the ventilators. Whether such information is available on any website, if yes, the details thereof.
- xvi) Whether any charges have been fixed for the private hospitals for treatment of COVID-19 patients.
- xvii) Number of frontline workers or the Government offices/officials who have expired because of COVID-19 and whether the Government has framed any special scheme for them in addition to their normal terminal benefits.
- xviii) Number of deaths in the State due to COVID-19
- xix) Any scheme introduced by the State Government for extending assistance to the

family of the persons who have succumbed to COVID-19, particularly if such person was the prime bread earner for the family, if so, particulars of such scheme.

- xx) The system being followed for disposal of the medical waste specially related to the COVID-19 pandemic which is being generated in the Government hospitals, private hospitals/nursing homes, Airports, malls, etc.

Learned Advocate General seeks time to respond to the aforesaid issues.

Adjourned to June 21, 2021.

[Rajesh Bindal, C.J.(A)]

[Arijit Banerjee, J.]