

ITEM NO.301

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
R E C O R D O F P R O C E E D I N G S

SUO MOTO WRIT PETITION (CIVIL) No.3/2021

IN RE : DISTRIBUTION OF ESSENTIAL SUPPLIES AND SERVICES
DURING PANDEMIC

(With appln.(s) for EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT, APPROPRIATE ORDERS/DIRECTIONS, CLARIFICATION/DIRECTION, EARLY HEARING APPLICATION, EXEMPTION FROM FILING AFFIDAVIT, EXEMPTION FROM FILING O.T., INTERVENTION APPLICATION, INTERVENTION/IMPLEADMENT, PERMISSION TO APPEAR AND ARGUE IN PERSON and PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and I.A. NO. 61775/2021 - APPLICATION FOR DIRECTIONS IS ARISING OUT OF LETTER PETITION DATED 7.5.2021 OF MR. MANAN KUMAR MISHRA, SENIOR ADVOCATE AND CHAIRMAN, BAR COUNCIL OF INDIA)

Date : 31-05-2021 This matter was called on for hearing today.

CORAM :

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HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

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By Courts Motion,

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**UPON hearing the counsel the Court made the following
O R D E R**

- 1 In terms of the signed reportable order, we pass the following directions:
 - (i) We direct the UoI to file an affidavit, which shall address the issues and questions raised in Section E, wherein it shall ensure that each issue is responded to individually and no issue is missed out. We also direct that the affidavit should provide the following information:
 - The data on the percentage of population that has been vaccinated (with one dose and both doses), as against eligible persons in the first three phases of the vaccination drive. This shall include data pertaining to the percentage of rural population as well as the percentage of urban population so vaccinated;
 - The complete data on the Central Government's purchase history of all the COVID-19 vaccines till date (Covaxin, Covishield and Sputnik V). The data should clarify: (a) the dates of all procurement orders placed by the Central Government for all 3 vaccines; (b) the quantity of vaccines ordered as on each date; and (c) the projected date of supply; and

- An outline for how and when the Central Government seeks to vaccinate the remaining population in phases 1, 2 and 3.
 - The steps being taken by the Central Government to ensure drug availability for mucormycosis.
- (ii) While filing its affidavit, UoI shall also ensure that copies of all the relevant documents and file notings reflecting its thinking and culminating in the vaccination policy are also annexed on the vaccination policy. Hence, we direct the UoI to file its affidavit within 2 weeks.
- (iii) We also note that UoI's stated position in its affidavit dated 9 May 2021 is that every State/UT Government shall provide vaccination free of cost to its population. It is important that individual State/UT Governments confirm/deny this position before this Court. Further, if they have decided to vaccinate their population for free then, as a matter of principle, it is important that this policy is annexed to their affidavit, so that the population within their territories can be assured of their right to be vaccinated for free at a State vaccination centre. Hence, we direct each of the State/UT Governments to also file an affidavit within 2 weeks, where they shall clarify their position and put on record their individual policies.

2 List the Petition on 30 June 2021.

(CHETAN KUMAR)

A.R. -cum-P.S.

(Signed Reportable Order is placed on the file)

(SAROJ KUMARI GAUR)

BRANCH OFFICER