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HIGH COURT OF TRIPURA
AGARTALA

WP(C)(PIL) No.9/2020

Court on its own motion : None.

For Respondent(s) : Mr. S S Dey, Advocate General.
Mr. Debalaya Bhattacharya, Govt. Advocate,
Ms. Ayantika Chakrabroty, Advocate.

HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI
HON'BLE JUSTICE MR. S TALAPATRA

O R D E R

17/5/2021

(Akil Kureshi, CJ).

We have perused the latest affidavit filed by the State dated 16th May, 2021 in which several details particularly concerning the preparedness of the State-administration to deal with emerging Covid related situation. This affidavit gives a rough estimate of possible Covid cases that may be reported in near future about a month from now, which is based on a model prepared by the Government of India, Ministry of Health and Family Welfare. On the basis of such estimation and going by the current proportion of Covid positive patients who require mere home isolation vis-à-vis those who require hospitalization, the estimations for future requirements in both the categories can also be broadly made.

In the said affidavit details of the availability of Covid beds in different hospitals with continuous oxygen supply and other support systems have also been provided. We have taken note of the availability of such

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infrastructure. It is stated that in addition to the existing hospital beds with pipelined oxygen supply, 150 hospital beds which currently have oxygen cylinders as well as oxygen concentrators, shall be covered with oxygen supply through pipeline within a period of two weeks from today. The learned Advocate General under instructions further stated that as per the oxygen supply policy formulated by the Government of India, the State quota of oxygen is 10 Metric Tons per month. He stated that this quantity is more than sufficient to cover not only the current requirement but any possible foreseeable future requirements. In the next affidavit the respondents may state what is the current requirement of oxygen per day.

He further stated that in addition such facilities being available in the hospitals at Agartala, the district headquarters are also being provided oxygen cylinders and oxygen concentrators. The work is going on to connect these hospitals with oxygen production plants from where piped oxygen would be provided. This of course might take some time

In this affidavit, as required by the Court in the previous order, the administration has also provided the details of the vaccination progress in the State giving category-wise such as, coverage of first and second doses to healthcare workers, frontline workers, citizens over 60 years, those in the age group of 45 to 59 years etc. The affidavit also contains the present

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availability of vaccine doses and likely availability of further doses in near future.

While taking note of these details provided by the State-administration in the said affidavit, we would like to touch on two aspects which require immediate attention which are, the high infection cases in State-run orphanages and jails. The young children who are housed in these orphanages, need special protection. The State-administration would ensure maximum possible testing of these children, particularly considering the fact that in recent times number of positive cases reported in these orphanages is quite high. So far as jail inmates are concerned, the State which has restricted the movement of a citizen, of course by authority of law, has the onus to ensure that his health is not jeopardized on account of being kept confined. We are sure the State-administration shall take into account all the observations and directives of the committee specially constituted by the Supreme Court by its order dated 23rd March, 2020.

One more aspect which we would like to bring to the notice of the State-administration is the requirement of round the clock helpline which is efficient, functional and provides all necessary information and support to the relatives of the patients who are in need. In particular, the State may think of devising a system by which the availability of hospital beds with and without oxygen supply and ventilators is constantly made available in

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public domain. This will help the relatives of the Covid patients who require urgent hospitalization and oxygen support to identify the proper place without loss of time. We are sure the learned Advocate General shall take up this issue with the State-administration and devise a plan as found appropriate.

List on *24th May, 2021.*

In view of curfew and restriction orders issued by the State-administration including District Magistrates, the High Court has passed two separate orders on 16th May, 2021 and 17th May, 2021 restricting the working of the Courts which are affected by such restriction orders. Essentially, non-urgent filing in these Courts shall not be accepted till 31st May, 2021. In view of these administrative orders passed by the High Court, it is provided that during the days this arrangement continues in the affected districts courts and the High Court, the same shall be deemed to be holidays for the purpose of Limitation Act.

(S TALAPATRA, J)

(AKIL KURESHI, CJ)