

GAHC010092512021



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

Case No. : 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
ASSA**

Advocate for the Petitioner :

Advocate for the Respondent : GA, ASSAM

HON'BLE THE CHIEF JUSTICE MR. SUDHANSU DHULIA**HON'BLE MR. JUSTICE MANASH RANJAN PATHAK****14-06-2021****(Sudhanshu Dhulia, CJ)**

The matter is taken up through video conferencing.

Heard Mr. V. Hansaria, learned senior counsel assisted by Ms. S. Kalita, learned counsel appearing for the Gauhati High Court. Also heard Mr. D. Saikia, learned Advocate General, Assam.

In this public interest litigation, concern has been raised about the doctors and paramedics, who are the frontline warriors and it also touches on an incident where a Doctor was manhandled and beaten up by a mob in Udali Model Hospital in the district of Hojai. Further prayer in this petition is that suitable measures be taken by the State to ensure that such incidents do not occur in future.

The learned Advocate General of the State Mr. D. Saikia has apprised this Court that as far as the incident of Udali is concerned, the concerned persons, twenty-four in number, were arrested within twenty-four hours and are presently lodged in jail and due process of law is being followed as far as this incident is concerned. Moreover, the Government itself is conscious about the care it has to give to its doctors and paramedics and it is open for any suggestions and guidelines in this regard as it is a public interest litigation.

Let a statement of progress made in this case be placed before this Court within two weeks from now.

Meanwhile, a detail reply be filed by the Government within two weeks with regard to the measures taken by the Government or the measures it

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proposes to take to ensure that such incidents do not happen in future and that with immediate effect it should be ensured that no weapon/firearms are allowed to be taken inside a hospital and proper notice of warning is given in every hospital and medical colleges about the consequences to be followed in law if Medicare Service Persons, which include Doctors, Nurses, Para-medical, medical students, nursing students and any other worker employed and working in Medicare Service Institutions [as defined under Assam Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage to Property) Act, 2011], are manhandled or attacked.

List on ***14th July, 2021.***

JUDGE

CHIEF JUSTICE

Comparing Assistant