

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**W.P.(C) No. 22970 of 2019**

***Odisha State Legal Services Authority*** .... ***Petitioner***

Mr. Anupam Dash, Advocate

-versus-

***State of Odisha and Others*** .... ***Opposite Parties***

Mr. Ishwar Mohanty, Addl. Govt. Advocate

**CORAM:**  
**THE CHIEF JUSTICE**  
**DR. JUSTICE S.K. PANIGRAHI**

**Order No.**

**ORDER**  
**21.12.2022**

08. 1. The affidavit dated 18<sup>th</sup> October, 2022 of the Deputy Secretary to Government, Health and Family Welfare Department has been perused. It only lists out the action taken in one particular case of appointment of a doctor without proper degree certificate. Even in that case, the disciplinary enquiry does not appear to have been concluded yet.
2. A direction is issued to conclude the said enquiry within a period of three months from today and place a copy of the enquiry report along with the action taken report before the Court along with an affidavit before the next date.
3. The Court notes with concern that in a survey conducted by the World Bank it was noticed that at least 51% of the medical practitioners do not possess valid qualifications. The Court is of the

view that, in light of the above report, the action taken only in respect of one case can hardly be termed as adequate.

4. Accordingly, a direction is issued to the Addl. Chief Secretary to Government, Health and Family Welfare Department, to come up with a comprehensive plan under which a survey will be undertaken to ascertain that every allopathic doctor practising in Odisha in possesses the proper and relevant qualification. Such a survey should be undertaken in a time bound manner and be concluded preferably within a period of six months. An affidavit be filed in this Court by the Addl. Chief Secretary to Government, Health and Family Welfare Department, at least one week prior to the next date, setting out the modalities of verification, the time period within which the verification will be concluded and the consequential action if it is found that a person was practising without due qualification. The steps be taken in co-ordination with the Medical Council of India.

5. A copy of this order be sent to the Addl. Chief Secretary to Government, Health and Family Welfare Department forthwith for compliance.

6. List on 27<sup>th</sup> January, 2023.

**(Dr. S. Muralidhar)**  
**Chief Justice**

**(Dr. S.K. Panigrahi)**  
**Judge**