

25.05.2021 Present: Court on its own motion.

Mr.Ajay Vaidya, Senior Additional Advocate General, for the respondents-State.

Mr.Bimal Gupta, Senior Advocate, with Ms.Sneh Bhimta, Advocate, for the intervener.

Ms.Yogesh K. Chandel, Advocate, for the intervener.

CWP No.2795 of 2021

Mr.B.N. Misra, Senior Advocate with Ms.Vandana Misra, Advocate, for the petitioner.

Mr.Ajay Vaidya, Senior Additional Advocate General, for the respondents-State.

Mr. Balram Sharma, ASGI, for the respondent-Union.

(Through Video Conferencing)

Learned Assistant Solicitor General of India submits that the Government of India has directed the State Governments to convert PHCs into 30 bedded ICU hospitals with oxygen facilities. Accordingly, we direct the State Government to make submission as to what steps the State Government has taken to convert these PHCs into ICU hospitals with oxygen facilities.

Learned Senior Additional Advocate General submits that RTPCR tests have been conducted at an average of fourteen thousand per day. But as per yesterday's report, it is only eleven thousand. If the RTPCR tests are not conducted in war footing i.e. more than twenty to thirty thousands per day then the fatalities will proportionately go higher and by the time the RTPCR test is

conducted, the incubation period will exceed and that may go out of control of the Government. In fact, on the basis of submissions made by learned Senior Additional Advocate General, what we feel is that the Government has again to accelerate its work in combating the COVID-19.

The another submission of Mr.Vaidya that they have opened some makeshift hospitals with oxygen facilities having 1000 beds is highly appreciable but decentralized opening of ICU beds by converting PHCs is of paramount importance.

Ms.Sneh Bhimta, learned counsel submits that in Kullu and Lahul & Spiti though hospitals are there but ICU beds are not available. Accordingly, we direct the State Government to make submission as to whether ICU beds are provided to the COVID patients in both the aforesaid areas.

Learned Senior Additional Advocate General is also directed to supply copy of instructions dated 24th May, 2021 to Mr.Bimal Gupta, learned Senior Advocate to enable him to make submissions on the next date of hearing.

List on 1st June, 2021, in regular Court at 11.00 AM.

(L. Narayana Swamy)
Chief Justice

(Anoop Chitkara)
Judge

May 25, 2021
(vt)