

GAHC020004352021



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

Case No. : PIL/12/2021

RANGRO HERIE AND ANR
S/O PETSUI HERIE, WARD NO.4, NDINING WARD, PEREN DISTRICT,
NAGALAND

2: KIKRUKHONUO PFUKHA

D/O LHOUKUO PFUKHA
R/O UPPER MIDLAND
KOHIMA
SADAR
KOHIMA
NAGALAN

VERSUS

THE STATE OF NAGALAND AND 5 ORS
REPRESENTED BY THE PRINCIPAL SECRETARY, GOVT. OF
NAGALAND, DEPARTMENT OF HEALTH AND FAMILY WELFARE,
NAGALAND CIVIL SECRETARIAT, KOHIMA

2:THE STATE MISSION DIRECTOR

STATE HEALTH SOCIETY
NATIONAL RURAL HEALTH MISSION
DIRECTORATE OF HEALTH AND FAMILY WELFARE
RUZIEZOU
KOHIMA
NAGALAND

3:NAGALAND STATE AIDS CONTROL SOCIETY(NSACS)

DIRECTORATE OF HEALTH AND FAMILY WELFARE
RUZIEZOU

KOHIMA
NAGALAND

4:NAGALAND STATE BLOOD TRANSFUSION CENTRE

KOHIMA
NAGALAND

5:THE DIRECTOR
NATIONAL BLOOD TRANSFUSION COUNCIL(NBTC)

NATIONAL AIDS CONTROL ORGANISATION
MINISTRY OF HEALTH AND FAMILY WELFARE

9TH FLOOR
CHANDERLOK BUILDING 36
JANPATH
NEW DELHI - 110001
INDIA

6:THE UNION OF INDIA

THROUGH THE SECRETARY
MINISTRY OF HEALTH AND FAMILY WELFARE
GOVT. OF INDIA
NIRMAN BHAWAN
NEAR UDYOG BHAWAN METRO STATION MAULANA AZAD ROAD
NEW DELHI
DELHI - 11001

Advocate for the Petitioner : NEITEO KOZA, KIKRU PFUKHA

Advocate for the Respondent : GOVT ADV NL,

BEFORE
HON'BLE MR. JUSTICE SOUMITRA SAIKIA
HON'BLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

13.11.2024

(S. Saikia, J)

Heard Ms. Neiteo Koza, learned counsel for the PIL petitioner, Mr. N.

Mozhui, learned Standing Counsel for the NHM, Health and Family Welfare Department/respondent nos. 1, 2, 3 and 4 and Mr. Yangerwati, learned CGC for the respondent nos. 5 and 6.

Pursuant to the earlier Order of the Court an affidavit has been filed by the Mission Director, NHM on behalf of respondent nos. 1, 2, 3 and 4 to bring on record the steps taken for setting up of Blood Bank equipments in the 4 districts of Tuensang, Kiphire, Mon and Phek. A perusal of the affidavit reflects that the work-orders have been issued to the vendor and the various machineries required for installation of the Blood Banks have been stated to have been in supply. The said documents enclosed with the affidavit reflect that the machineries have been received and the Demonstration Report as well as the Installation Report is enclosed to show that the machineries installed in those districts are working as per required standard.

A perusal of the prayers made in the PIL reflects that there is a specific prayer in the PIL, particularly, prayer no. 'g' to issue orders and directions to the respondents to improve hospital infrastructures in the District Hospitals of Peren, Kiphire, Longleng and Noklak for storing blood. Since this is a Public Interest Litigation filed and the the issue raised is of substantial importance to the citizens, more particularly, those residing in rural areas and not having access to adequate and sufficient medical and health necessities by way of hospitals and other ancillary facilities offered in those hospitals including access to Blood Banks and Blood Storage Units, this Court is of the view that direction be issued to respondent nos. 1, 2, 3 and 4 to file a detailed affidavit and place before the Court the

status of existence or the availability of Blood Banks as well as Blood Storage Units in all the 17 districts of the State of Nagaland. Depending on the materials which are placed before the Court by way of an affidavit as directed, further orders as deemed necessary may be passed by the Court. Respondents are granted 4 (four) weeks' time to file the detailed affidavit and apprise the Court accordingly.

List the matter again on a date to be fixed by the Registry after 4 (four) weeks.

JUDGE

JUDGE

Comparing Assistant