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HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR

D.B. Civil Writ Petition No. 10075/2017

Suo Moto

----Petitioner

Versus

1. Union Of India Through Secretary, Ministry Of Home Affairs, Govt. Of India, New Delhi.
2. State Of Rajasthan, Through Chief Secretary, Govt. Of Rajasthan, Jaipur.

----Respondents

For Petitioner : Mr. Sajjan Singh, Amicus Curiae (through VC)

For Respondents : Mr. Karan Singh Rajpurohit, AAG
Mr. Rajat Arora, AAAG

Mr. Vipul Singhvi, ASG (through VC)

HON'BLE MR. JUSTICE VIJAY BISHNOI
HON'BLE MR. JUSTICE RAMESHWAR VYAS

Order

03/06/2021

This Court vide order dated 28.05.2021 granted time to Mr. K.S. Rajpurohit, learned AAG to furnish details regarding the steps taken by the State Government in every District as per the procedure given in Clause-5 of SOP dated 06.05.2021 issued by the Central Government on "COVID-19 Vaccination of Persons without prescribed Identity Cards through CoWIN".

No compliance report pursuant to the direction given by this Court vide order dated 28.05.2021 has been submitted instead a note prepared by the Chief Medical and Health Officer, Jodhpur and letters written by the Municipal Corporation Jodhpur (North);



Superintendent of Police Intelligence, Jodhpur and Deputy Director Social Justice and Empowerment Department, Jodhpur and the copy of letter written by the National Health Mission, Medical, Health and Family Welfare Department, Government of Rajasthan to the Health and Family Welfare Ministry, Government of India is placed on record.

Vide letter dated 01.06.2021 written by the National Health Mission, Medical, Health and Family Welfare Department, Government of Rajasthan a request is made to the Health and Family Welfare Ministry, Government of India to include the Pakistani Minority Migrants in the SOP dated 06.05.2021.

It is noticed that once this Court in its order dated 28.05.2021 has already opined that SOP dated 06.05.2021 is not excluding the Pakistani Minority Migrants, who are eligible for COVID-19 vaccination, then it is difficult to understand that why the State Government is seeking further clarification from the Central Government and requesting it to include the Pakistani Minority Migrants in the SOP dated 06.05.2021.

Mr. Sajjan Singh, learned Amicus Curiae appearing on behalf of the Pakistani Minority Migrants has submitted that even the Pakistani Minority Migrants, who are declared as citizens of this country, are also not being vaccinated on the ground that they are not having Aadhar Cards. It is further submitted that so far as the ration/food packets are concerned, the same are being made available to the Pakistani Minority Migrants residing in Jodhpur City but in other District such as Jaisalmer, Barmer and Jaipur no such ration/food packets are being made available to the Pakistani Minority Migrants.



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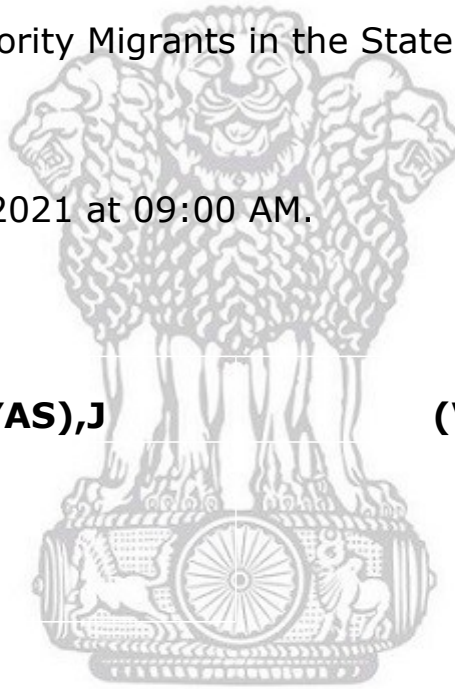
In such circumstances, we are forced to direct the Chief Secretary, Government of Rajasthan, Jaipur to submit a detailed affidavit regarding the steps taken by the State Government in every District as per the procedure given in Clause-5 of the SOP dated 06.05.2021 and also to explain that why the State Government is not treating the Pakistani Minority Migrants, who are not having prescribed identity cards, eligible for COVID-19 vaccination though this Court vide order dated 28.05.2021 has already clarified that such Pakistani Minority Migrants are eligible for COVID-19 vaccination as per the SOP dated 06.05.2021. The status regarding the availability of ration/food packets to the needy Pakistani Minority Migrants in the State of Rajasthan be also submitted.

List on 10.06.2021 at 09:00 AM.

(RAMESHWAR VYAS),J

(VIJAY BISHNOI),J

Abhishek Kumar
S.No.1



सत्यमेव जयते