



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPPIL No. 27 of 2024

**IN THE MATTER OF SUO MOTO PUBLIC INTEREST LITIGATION
versus THE STATE OF CHHATTISGARH**

WPC/4421/2021

Order on Board

12/12/2025	<u>WPPIL No. 27 of 2024</u> This is an office reference. Heard Mr. Palash Tiwari & Ms. Surya Kawalkar Dangi, learned Court Commissioners. Also heard Mr. Y.S. Thakur, Addl. Advocate General for the State and Mr. Raghvendra Pradhan & Mr. Trivikram Nayak, learned counsel for respondent No.8. In compliance of this Court order dated 25/11/2025, Secretary, Department & Family Welfare, Govt. of Chhattisgarh has filed his personal affidavit dated 11/12/2025. Relevant portion of the affidavit is reproduced



hereunder:-

“2. That, the Hon'ble Court was pleased to take cognizance of news report published in Navbharat on 24.11.2025 with a heading "परिजन शेड पर जड़ा ताला, रात में जिला अस्पताल के फर्श पर सोने की मजबूरी"..

In this regard, it is respectfully submitted that the Bilaspur is a 200 Bedded Hospital. District Hospital. Inside the Hospital building, a hall is designated for stay of relatives of the patients admitted in the Hospital, the capacity of which being 25 people. All basic facilities are available in the hall. Beside this in the old District Hospital building there is a hall with a capacity of 40 persons meant for the relatives of the patients. Beside this there are 13 private wards in the Hospital which allows one attendant along with patient. These, there is sufficient facility for the relatives/ attendants of the patients for stay in the Hospital. Photographs showing the hall designated for relatives/attendants of the patients are filed herewith as ANNEXURE D/1 collectively. It is further submitted that the building has been donated to the District Hospital which is being renovated for the purposes of stay of relatives.



	<i>On completion of renovation, additional facility of stay would be available to the relatives of the patients admitted in the District Hospital.</i> <i>3. As regard to the news report that the shed is locked and the attendants have to sleep on the floor of the Hospital, it is respectfully submitted that the shed mentioned in the news report was constructed for general purposes and not for stay of the relatives. Presently an Oxygen Plant is operational in part of the shed and the shed is used for keeping furniture and fixtures. The shed does not have any facility of water or washroom, therefore, is kept locked.</i> <i>4. That, the Hon'ble Court was also pleased to take cognizance of news report published in Hitvada on 23.11.2025 with a heading "Shortage of beds forcing caretakers, patients to sleep on floors the said news report relates to the Government run Regional Cancer Center located near Pt. Jawahar Lal Nehru Memorial Medical College, Raipur. In this regard, it is respectfully submitted that presently the Cancer Department is functioning in the old building which has the infrastructural limitation. The State Government has sanctioned 3936.54 lacs for construction of new building for the Cancer</i>
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Department which will have Ground+7 Floors. The tender for construction of new /building is under progress.

It is respectfully submitted that about 500-600 cancer patients visit the Cancer Department on a daily The photographs appearing in the news report is of the attendants of cancer patients. Due infrastructural limitation the attendants face some difficulties which will be met out with the construction of new building.

5. That, the Hon'ble Court was pleased to take cognizance of news report published in Dainik Bhaskar on 23.11.2025 with a heading "गांव शहर सभी जगहों पर डाक्टर-स्टाफ की लापरवाही मिली 9 बजे से ओपीडी सीएचसी में डाक्टर नहीं, पीएचसी 2 बजे बंद".

In this regard, it is respectfully submitted that a detailed guideline for OPD timings and emergency duty has been issued for all Government health facilities as such District Hospitals, Community Health Centers, Primary Health Centers and Sub Centers. A copy of guidelines dated 23.12.2019 is filed herewith as ANNEXURE D/2.

6. It is respectfully submitted that even beyond the OPD hours, a Medical Officer, Staff Nurses and other Paramedical Staff are available 24X7



in all District Hospital and Community Health Centers to provide emergency care.

7. It is respectfully submitted that the Department of Health & Family Welfare has also introduced Adhaar-based attendance system in the Hospital. The Adhaar-based attendance system will be fully implemented very (sic from) soon and made mandatory for all officers and employees of the Department.

8. It is respectfully submitted that the office of Chief Medical and Health Officer, Bilaspur has issued show-cause-notice to the Doctors posted in Community Health Center Ratanpur, Beltara calling for explanation based on news report. Copy of notices issued by the Chief Medical and Health Officer, Bilaspur is filed herewith as ANNEXURE D/3.

9. It is respectfully submitted that the Department of Health & Family Welfare has already issued instructions to all the Doctors and Medical Staff posted in Government run Hospitals to ensure their timely presence. The Department has also issued instructions for provide basic facilities to the patient and their attendants. The Department is in constant endeavor to improve medical facilities for the



general public and to deal with huge number of patients in the best possible way. The Department is taking constant steps for providing better medical facilities and also improving and upgrading the present infrastructure. The efforts are being made by the Department for ensuring availability of medicines, test-kits in sufficient quantity. The Department is committed in improving the overall medical infrastructure of the State of Chhattisgarh.”

A bare perusal of the affidavit shows that the State has outlined the facilities available for attendants in the District Hospital, Bilaspur, and has also placed on record photographs of the designated halls (Annexure D/1) to demonstrate the amenities provided. It is further clarified that the shed referred to in the news report was never meant for attendants, is partly occupied by the Oxygen Plant, used for storage, and lacks basic facilities e.g. water and washrooms. Regarding the Regional Cancer Center, Raipur, the affidavit attributes the inconvenience faced by attendants due to infrastructural limitations of the old building and states that a new multi-storey building has already been sanctioned



	and the tender process is underway. The affidavit also points about issuance of show-cause notices to the concerned doctors and medical staff based on the news report. It is stated that continuous steps are being taken to upgrade infrastructure, ensure availability of medicines and test kits, and improve healthcare services across the State. At this juncture, learned counsel for respondent No.8 would submit that Managing Director, Chhattisgarh Medical Services Corporation Limited has also filed affidavit dated 19/11/2025. Relevant portion of the affidavit is reproduced hereunder:- <i>“2. That, it is submitted that CGMSC has been incorporated on 07.10.2010 as a public limited company under the Companies Act, 1956 and it is a Government Company which is overseen by the department of Health and Family Welfare, Government of Chhattisgarh. The objective of CGMSC includes - a) procure, test, store and supply all kinds and varieties of generic Jugs and medicines, Suture and surgical items, etc., to the various health cilities (medical colleges, district hospital, CHCs and PHCs) as per procurement, distribution, installation,</i>
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	<i>maintenance of all types of medical ecruitment received from health department; b) it further deals with equipment and instruments required in various Health facilities across the State, etc.</i> <i>3. That, in the earlier personal affidavit dated 05/11/2025 filed before this Hon'ble Court, reference was made to nine tenders relating to procurement of Reagents, Control, Calibrator and Consumables. Out of the said nine tenders, two tenders bearing Tender Ref. No. 243(2R)/CGMSCL/Reagent, Control, Calibrator & Consumable/2025-26 dated 30/09/2025 and Tender Ref. No 244(R)/CGMSCL/Reagent, Control, Calibrator & Consumable/2025-26 dated 30/09/2025 have completed demonstration stage and evaluation compliance is under process, and in respect of the remaining seven tenders the Proprietary Article Certificate (PAC) is awaited from the Directorate of Health Services for further processing. Copies of the tender documents relating to the two tenders in which demonstrations were completed are annexed herewith and marked as Annexure D/1, and a copy of the communication issued by CGMSCL requesting issuance of PAC in respect of the said seven tenders is annexed herewith and marked</i>
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	<i>as Annexure D/2.</i> <i>4. That, in further compliance with procurement requirements, CGMSCL has undertaken procurement through the Government e-Marketplace (GeM) platform, wherein the tender relating to GeM Bid No. GEM/2025/B/6454988 for RDT Malaria Kits has been finalized and awarded and the supply order has been issued, and the supplier has been instructed to commence delivery. The remaining four GeM tenders, namely GeM Bid No. GEM/2025/B/6388442 relating to twenty-eight diagnostic kit items, GeM Bid No. GEM/2025/B/6392215 relating to one hundred and twenty-eight suture items, GeM Bid No. GEM/2025/B/6450687 relating to forty-two surgical blades, and GeM Bid No. GEM/2025/B/6478628 relating to four diagnostic kit items are under sampling and technical evaluation, and procurement action shall be finalized upon completion of verification. Copies of the supply order issued for the awarded Malaria Kit tender are annexed herewith and Collectively marked as Annexure D/3, and documents relating to sampling and evaluation of the remaining GeM tenders are annexed herewith and collectively marked as</i>
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Annexure D/4.

5. That further the State Government had previously issued directives with regard to procurement at local level in order to ensure that there is no hinderance and hardship at the grass-root level i.e. to prevent disruption of diagnostic services under the Hamar Lab Scheme, necessary instructions permitting temporary local procurement at district level have been issued until centralized supplies reach all health facilities. A copy of the communication relating to the Hamar Lab Scheme is annexed herewith and marked as Annexure D/5.

6. That CGMSCL remains committed to ensuring uninterrupted availability of essential diagnostic kits, reagents and consumables to all Government Health Institutions across the State and shall abide by and comply with the orders/directions passed by the Hon'ble High Court as may be issued from time to time.”

From bare perusal of the aforesaid affidavit, out of nine tenders relating to procurement of Reagent, control, Calibrator & Consumable, two tenders have been finalized by declaring bidders as L-1 and the further steps have been



initiated to issue work orders in respect of the aforesaid two tenders. In respect of the remaining seven tenders, it has been mentioned in the affidavit that the Proprietary Article Certificate (PAC) is awaited from the office of the Directorate of Health Services for further processing. The said fact is evident from the letter dated 24/11/2025 (Annexure-D/2).

Let the Secretary, Department of Health & Family Welfare, Govt. of Chhattisgarh and the Managing Director, CGMSC are directed to file fresh affidavits with regard to the aforesaid issues by the next date of hearing.

The Secretary, Department of Health & Family Welfare, Govt. of Chhattisgarh, is also directed to inform this Court as to what action has been taken pursuant to show cause notices issued to the Doctors and Medical Staff and place the same on record.

Post this matter on 11/02/2026.

Registrar (Judicial) and learned counsel for the State are directed to supply copy of this order forthwith to the aforesaid authorities for necessary compliance.

**WPC No. 4421/2021**

Heard Mr. Manoj Paranjpe, Senior Advocate along with Mr. Akshay Uppal, learned counsel for the petitioner. Also heard Mr. Y.S. Thakur, Addl. Advocate General for the State and Mr. Raghvendra Pradhan & Mr. Trivikram Nayak, learned counsel for respondent No.5.

Place this matter before the Hon'ble Chief Justice, on administrative side, for nomination of the bench for its early disposal.

Sd/-
(Bibhu Datta Guru)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice