

GAHC010203122024



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

Case No. : PIL/55/2024

WE FOR GUWAHATI FOUNDATION AND 2 ORS
REP. BY ITS MANAGING TRUSTEE AND PRESIDENT , ANITA VERMA,
CURRENTLY RESIDING AT 23, PRATIKSHA , KHARGHULI RIVERSIDE,
GUWAHATI-04

2: ANITA VERMA
D/O- SRI BALKRISHAN VERMA

R/O- 23 PRATIKSHA
KHARGHULI RIVERSIDE
GUWAHATI-04

3: DEBARGHA ROY
R/O- 43 LAMB ROAD
LATASIL
GUWAHATI-0

VERSUS

THE STATE OF ASSAM AND 4 ORS
REP. BY THE CHIEF SECRETARY TO THE GOVT. OF ASSAM, DISPUR, PIN-
781005, ASSAM

2: THE COMMISSIONER AND SECRETARY
TO THE GOVT. OF ASSAM
HEALTH AND FAMILY WELFARE DEPARTMENT
ASSAM SECRETARIAT
DISPUR
GUWAHATI-06

3: THE DIRECTOR OF HEALTH SERVICES
HEALTH AND FAMILY WELFARE DEPARTMENT
LICHUBAGAN
HENGABARI

GUWAHATI-36

4:JOINT DIRECTOR OF HEALTH SERVICES
KAMRUP (M)
STATE GUEST HOUSE BYE LANE
MG ROAD
UZANBAZAR
GUWAHATI-01

5:SRIMANTA SANKARDEV UNIVERSITY OF HEALTH SCIENCES
REP. THROUGH THE REGISTRAR
2ND FLOOR
GAUHATI MEDICAL COLLEGE BUILDING
GAUHATI MEDICAL COLLEGE HILL TOP ROAD
NARAKASUR PAHAR
BHANGAGARH
GUWAHATI-3

For the appellant/petitioner(s) : Ms. D. Ghosh, Advocate

For the Respondent(s) : Mr. D. P. Borah, SC, Health
Ms. R.B. Bora, Jr. GA, Assam

- B E F O R E -

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

04.02.2026

(Ashutosh Kumar, CJ)

This Public Interest Litigation has been filed highlighting a series of public health and elderly-care crisis in the State of Assam.

Ms. D. Ghosh, learned Advocate for the petitioners has argued that home care nursing services are completely unregulated in the State. She further submits that there are no Rules or registration system for the NGOs, or any minimum qualifications are prescribed for the health care-givers. In fact, without any background check, nurses/care-givers are recruited

by the NGOs, who ultimately are found to be of no help to the elder and sickly people in their climacteric times.

Ms. Ghosh has cited many instances where, because of such untrained and unqualified care-givers, there have been some fatalities in the past. She has further submitted that with the youths of Assam migrating to distant lands in search of jobs and families becoming nuclear, the dependency on health care-givers has increased innumerable, especially in cities like Guwahati and other satellite towns.

The issue, therefore, before this Court is whether, in the circumstances, it would be more appropriate to ask the Government of Assam to frame specific Rules and create an appropriate regulatory system to check such unregulated activities of the NGOs in providing health-care facilities on heavy cost, which many a times has led to disastrous results.

Mr. D.P. Borah, learned Standing Counsel, Health Department, and Ms. R.B. Bora, learned Government Advocate, Assam, to respond to this PIL by the next date.

Re-notify on **23.03.2026**.

JUDGE

CHIEF JUSTICE

Comparing Assistant