



IN THE HIGH COURT OF ORISSA AT CUTTACK

SUO MOTU W.P.(C) PIL No.2140 of 2020

**Registrar (Judicial),
Orissa High Court, Cuttack Petitioner**

*Er. N.K. Mohanty
Amicus Curiae*

*Mr. Bijay Kumar Dash
Amicus Curiae*

-versus-

State of Odisha & others Opp. Parties

*Mr. Manoj Kumar Mishra
Senior Advocate
President, OHCBA*

*Mr. Avijit Pattnaik
Advocate
Secretary, OHCBA*

*Mr. Debasis Nayak-A
Addl. Govt. Advocate &
Advocate for C.M.C.*

*Mr. Partha Sarathi Nayak
Addl. Govt. Advocate*

CORAM:

JUSTICE S.K. SAHOO

JUSTICE V. NARASINGH



ORDER
11.09.2025

This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

S.C.B. MEDICAL COLLEGE AND HOSPITAL
PROBLEMS

Order No.
317.
11.09.2025

(i) Online registration of O.P.D. patients:

When this issue was taken up on 11.07.2025, the Health Secretary was called upon to file an affidavit regarding the following aspects:

(i) Steps to be taken for online registration of the OPD patients in Sishu Bhawan, Cuttack;

(ii) Availability of such online registration facility to be widely circulated in print and electronic media;

(iii) Display Boards to be placed in the hospitals at vantage points regarding availability of such facility for public awareness; and

(iv) The website should indicate the names of Professors and Doctors who would be in charge of the OPD on a particular day.

Smt. Aswathy S., IAS, Commissioner -cum-Secretary, Department of Health & Family Welfare Department, Govt. of Odisha has filed an



affidavit dated 10.09.2025, wherein it is stated that the facility for online registration for OPD appointments under the Health and Family Welfare Department is available 24 hours for most of the District Headquarter Hospitals (DHH) and major Medical Colleges and Hospitals which includes *SCBMCH, Cuttack, Acharya Harihar Cancer Institute, Cuttack* and *SVPPGIP, Cuttack*.

It is further stated that the patients need to click on "Online Registration" and either enter their existing Central Registration Number (CR Number/OPD Ticket) or select "New Registration" for first-time registration. They must then select the hospital, department, and appointment date, and fill in details such as name, age, and address. Upon submission, the system generates a QR code along with an appointment slip that can either be printed directly or collected from the kiosk machine at Hospitals by scanning the QR code. On the scheduled date, patients are required to visit the respective department with the appointment slip at least one hour before OPD closing time. For subsequent visits, re-registration is mandatory using the previous CR Number to obtain a fresh appointment slip. The names of the Doctors who would be in-charge of the OPD on a particular day is



being displayed on the registration site. The detailed procedure has been enclosed to the affidavit as Annexure-A.

It is further stated in the affidavit that so far as circulating the availability of the online registration facility in print and electronic media, display boards which are to be placed in the hospitals at vantage points for public awareness are concerned, necessary steps have already been taken in this regard which is expected to be completed by 20th September.

The affidavit dated 11.09.2025 filed by the Commissioner -cum- Secretary to Government, Health & Family Welfare Department, Govt. of Odisha is taken on record.

During course of deliberation, the registration for OPD and issue of hassle free follow up by the patient(s) was taken up.

Prof. (Dr.) Goutam Kumar Satpathy, Superintendent I/c., SCBMCH, Cuttack apprised this Court about the procedure followed in case of patients who are coming for follow-up check-up as per the advice given. Needless to say that follow-up appointments help in the early detection of any side effects or complications from treatments, enabling prompt intervention to avoid further harm.



Let a detailed procedure followed in such cases of follow-up check-up after the initial treatment be placed on record by Prof. Satpathy specifically highlighting the modalities to be followed by the patient in particular cases where he/she chooses to approach the same doctor, who has already examined/treated him/her.

Professor Dr. Pravakar Mishra, Superintendent, Sishu Bhawan states that since 8th August, 2025, registration for the OPD patients has been put in place and the same procedure as in SCBMCH, Cuttack being followed in Sishu Bhawan.

Prof. (Dr.) Satapathy has submitted the data regarding total online registration for OPD patients in SCBMCH, Cuttack which states as follows:

(i) For the Month of July, 2025, total nos. of registration are 1,89,225 and out of which, online registration nos. are 25,317;

(ii) For the month of August, 2025, total nos. of registration are 1,94,361 and out of which, online registration nos. are 30,642;

(iii) Till 10th September, 2025 (Yesterday), total nos. of online registration is 1667 and so far as today's data is concerned, the total online registration is 2,491.



Professor Dr. Mishra has submitted the data regarding total online registration for OPD patients in Sishu Bhawan, which runs thus:

(i) For the month of August, 2025, total registration is 17,140 and out of which, online registration is 544 and

(ii) For the Month of September, 2025 till today, total nos. of registration are 610 and out of which, online registration is 108.

The Court places on record its appreciation for the prompt and effective steps taken by Smt. Aswathy S., IAS, Commissioner -cum- Secretary, Department of Health & Family Welfare Department, Govt. of Odisha to initiate online registration for OPD patients in Sishu Bhawan in public interest as well as the proactive manner, the same has been implemented by the Superintendent In-Charge, SCBMCH, Cuttack, Prof. (Dr.) Satapathy and Superintendent, Sishu Bhawan, Professor Dr. Mishra.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge



**(ii) MAINTENANCE OF HYGIENIC
CONDITION OF CENTRAL KITCHEN:**

318.
11.09.2025

This issue was taken up on 11.07.2025. On that day, we perused the report of the learned Advocates' Committee dated 19.06.2025, which indicated that in the Central Kitchen of SCBMCH, Cuttack, food is not being prepared in a hygienic manner, which was endangering the wellbeing of the patients. Photographs of preparation of rotis manually for the patients were also being presented with a report.

On 11.07.2025, we also considered the affidavit dated 29.07.2025 of Prof. (Dr.) Goutam Kumar Satapathy, Superintendent I/c., SCBMCH, Cuttack. The video clipping of the Central Kitchen of SCBMCH, Cuttack was also displayed in open Court on that day and we found that the persons who were preparing rotis were not using gloves, most of them had not covered their hairs and mouth and people wearing shoes were also allowed to enter inside the Central Kitchen.

On 11.07.2025, Prof. Satapathy assured this Court that he would look into all these aspects and ensure that proper hygienic condition is maintained in the process of making rotis.



Today, learned counsel for the State has produced the letter no.21501 dated 11.09.2025 of the Medical Superintendent, SCBMCH, Cuttack addressed to the learned Advocate General, wherein it is stated as follows:

(i) In order to maintain hygienic condition during the preparation of diet, the outsourcing agency M/s. Utkal Suppliers was instructed vide office letter No.17849 dated 31.07.2025 that all staff should use mask, gloves and caps while preparing diet in the kitchen. Shoes/sandals used outside should not be allowed inside the cooking and food preparation area and adhere to the hygienic etiquettes in the kitchen;

(ii) Adhering to the instruction, proper hygiene is being maintained in the kitchen. Rotis are being prepared using Roti Making machine. The personnel engaged in preparation of cooking are using apron, gloves, mask, caps etc in the kitchen. The kitchen work is being monitored by Dietician, and Hospital Managers on regular basis.

The letter dated 11.09.2025 of the Medical Superintendent, SCBMCH, Cuttack is taken on record.

Prof. (Dr.) Goutam Kumar Satapathy, Superintendent I/c., SCBMCH, Cuttack also sent a



recording of the Central Kitchen which was displayed in open Court.

Regarding the works to be undertaken by the R & B Development, Prof. (Dr.) Goutam Kumar Satapathy, Superintendent I/c., SCBMCH, Cuttack submits that the electrical and civil works have been completed in the meantime.

Ministry of Health & Family Welfare, Govt. of India, in order to support the States to streamline and standardize the dietary service in the public hospitals, has prepared technical and operational guidelines in the year 2022 which is styled as "**Guidelines for Modern Kitchen and Dietary Services**" with a vision to provide ergonomically designed, well-equipped modern kitchen so that clean, hygienic and balanced diet can be delivered to the patients visiting the hospitals which would contribute patients' satisfaction. Maintaining good nutrition during hospitalization is vital and it would prevent increased risk of hospital acquired infections, delayed wound healing, longer hospital stay, higher mortality and morbidity.

The Health Secretary, Govt. of Odisha shall constitute a team to study the aforesaid 2022 Guidelines and suggest as to how in the SCBMCH, Cuttack as well as other Govt. hospitals in Cuttack



City, a well-planned infrastructure can be provided, infection preventive measures can be taken, protocols and process for preparation and distribution of cooked diet in a systematic way simultaneously ensuring quality can be maintained and submit a report in that respect.

Since the kitchen facility available in SCBMCH, Cuttack has been outsourced to M/s. Utkal Suppliers, overall monitoring and supervision is required to be done by hospital personnel. Since different dietary norms are to be followed for different category of patients, the role of dietician is very much relevant. There should be adequacy of diet and hygienic measures are required to be taken at the time of food preparation and also while serving the food to the patients.

Department of Health & Family Welfare, Govt. of Odisha taking into account the continuing concern over the lack of attention to the nutritional needs of indoor patients, commissioned a technical and management support team to assess the prevailing dietary practices in public health institutions and to identify areas of improvement. A study report on improvement of dietary services and management in Medical College Hospitals and selected DHHs of Department of Health & Family



Welfare, Govt. of Odisha was published. Emphasis was laid, inter alia, on formation of diet vigilance Committee to monitor and supervise overall diet management process and quality assurance system. It is also stated that facilities at the kitchens need to be improved along with hygienic practices and each kitchen should have separate storage and cooking facility along with provision of food preservation system.

Department of Health & Family Welfare, Govt. of Odisha has also issued guidelines for diet management in public health institutions wherein the role of dietician/nutritionist, sanitary measures, store and stock, cleanliness of kitchen staff, dishes/utensils, food handling have been highlighted.

Let the Medical Superintendent of SCBMCH, Cuttack file a detailed affidavit regarding the hygienic measures taken during preparation and distribution of diet to the indoor patients, monitoring of the diet preparation, adequacy of diet to the patients, diet serving procedure and also suggest the areas of improvement in dietary service.

The Health Secretary, Department of Health & Family Welfare, Govt. of Odisha shall also submit a report as directed so also Medical Superintendent, SCBMCH, Cuttack shall file the



affidavit be filed by 06.11.2025.

List this matter on 13.11.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

**SARDAR VALLABHBHAI PATEL POST GRADUATE
INSTITUTE OF PAEDIATRICS (SISHU BHAWAN)**

319.
11.09.2025

When the matter was taken up on 31.07.2025, Md. Shahbaz, Superintending Engineer, R & B Division No.1, Cuttack filed an affidavit and stated that after collapse of the second floor of the SVPPGIP, Cuttack, an inspection was conducted on 25.07.2025 and the present structure is safe in all respects and he was called upon to file an affidavit in this regard indicating the names of the officers, who were part of the inspecting team on 25.07.2025.

Md. Shahbaz, Superintending Engineer, R & B Division No.1, Cuttack, who is present through virtual mode files an affidavit dated 10.09.2025, wherein it is stated as follows:

(i) The work "Construction of Multi-Utility Complex and P.G. Students Hostel at Sardar Vallav Bhai Patel Post Graduate Institute of Paediatrics



(SVPPGIP), Sishubhawan, Cuttack in the State of Odisha on Turnkey basis" was awarded to M/s. Bridge & Roof Co. (India) Ltd. vide Agreement No.SBD-01 of 2018-19 on Turnkey basis with date of commencement 27.02.2019 and stipulated date of completion 26.02.2021. The actual date of completion for the above-mentioned work was 31.12.2022. The defect liability period is up to 31.12.2025 as per conditions of contract;

(ii) It is further stated in the affidavit that after collapse of parapet wall in front elevation of 2nd floor, the inspection of the entire building was conducted on dated 30.06.2025 in presence of:

- a.** Er. Khirod Chandra Behera, Executive Engineer Quality Control (R & B) Division Cuttack;
- b.** Er. Pankaj Nayak, Research Officer (R & B) Cuttack, Mrs. Jangyaseni Samal Junior Engineer Quality Control Division Cuttack;
- c.** Mr. Suresh Kumar Panda, Technical Assistant, Central Laboratory (R & B) Cuttack;
- d.** Er. Ramesh Chandra Swain, Executive Engineer, R & B Division-I Cuttack;
- e.** Er. Prafulla Kumar Behera, Assistant Engineer, of R&B Division-I Cuttack;



f. Mr. Sankar Majumdar, representative of M/s. Bridge & Roof Co. (India) Ltd. were also present.

(iii) It is further stated in the affidavit that so far as safety of the building is concerned, after award of work to M/s. Bridge & Roof Co. (India) Ltd. for construction of the above-mentioned work, the structural drawing was vetted by IIT Madras and after that construction work began. The building safety certificate is enclosed as submitted by M/s. Bridge & Roof Co. (India) Ltd. vide letter No. BANDR/SVPPGIP/51155/1287 dated 02.09.2025 has been annexed to the affidavit as Annexure-A.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

NEWS ITEMS PUBLISHED IN DAILY
NEWSPAPER RELATING TO AIR POLLUTION IN
CUTTACK CITY

320.
11.09.2025

A news item published on 10.10.2025 in the vernacular daily "The Samaja" under the heading of "**NIYANTRANA BAHARE PRADUSANA - ABETHU DHULI DHUANARE ANANISHWASI**"



(Pollution out of control, an unbreathable condition due to dust and smoke) is brought to the notice of this Court.

It is stated that even though the rainy season is not over yet, but commuters on the road have started using clothes and masks on their faces. As the sun rises, the streets of the city get covered with dust and smoke. The situation gets deteriorated in the evening. With the arrival of winter, there is every risk of increase in pollution level. The Municipal Corporation and the District Administration are not paying any attention to this issue. It is stated that the Pollution Control Board in Cuttack is currently in coma. Clean air is essential for a healthy life. It is also the right of everyone. Therefore, every citizen, including the Government, has the responsibility and duty to ensure that it is clean. Usually, air pollution is high during winter due to lack of humidity, but now, with the rainy season underway, the pollution level in Cuttack city is on rise. After 11 a.m., the roads and the sky are covered with dust and smoke. It is also seen that from afternoon till evening, the air is filled with dust. The pollution level of the vehicles is not being checked. Similarly, even though dust is piled up on the roads, it is not cleaned regularly. While the CMC has a special machine to



clean the city's streets, it is not being used properly. When a heap of garbage piles up at the city's riverbanks and piers, many times it is seen that it is being set on fire. Especially in the evening, its smoke is making people uncomfortable. Pollution control rules are not being followed at all in the Jagatpur area on the outskirts of the city. Waste is dumped on the banks of the river. Even materials containing various harmful chemical are being set on fire. The smoke emitted from this is deadly for human beings and animals. Although pollution is increasing year after year, the Administration and the Pollution Board have remained silent. People in the Jagatpur area have raised their voice against the pollution. As the festivals begin, lakhs of people will gather in Cuttack during Dusshera. In such a situation, there is a possibility of further increase in pollution. Therefore, the CMC and the District Administration need to take proactive steps in this direction.

The news item is taken on record.

Ms. Rashmita Priyadarshini, Regional Officer, Odisha State Pollution Control Board, Cuttack has to play a key role in this issue, is present.

Let an affidavit be filed by the Regional Officer indicating specific steps taken from January 2025 onwards against the individuals/authorities/



industries who are responsible for creating air pollution in Cuttack City, the monitoring activities of the Regional Office to ensure compliance of environmental regulations and number of cases instituted, if any, during such period in connection with violation of environmental norms.

List this matter on 25.09.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

ISSUES RELATING TO TRAFFIC IN AND AROUND CHANDI MANDIR AND REGULATION OF MOVEMENT OF HEAVY VEHICLE

321.
11.09.2025

It is stated at the Bar that special rituals of the deity Maa Cuttack Chandi for the ensuing Durga Puja are likely to commence from 14.09.2025.

Concern was expressed that the devotees coming to have darshan will face difficulty because of the ongoing renovation work of the Temple.

The traffic management in and around the temple forms an integral part in ensuring that the devotees, who are expected to throng the temple, do not face any inconvenience.



The issue of traffic congestion throughout the city because of unregulated movement of heavy goods vehicle was also raised.

The same assumes significance because of the onset of the festive season. Urgent steps need to be taken to afford relief to the man on the street from traffic snarls.

Considering the importance of the same more so because of the upcoming Durga Puja, Sri Khilari Rishikesh Dnyandeo, IPS, DCP, who is present virtually, is called upon to submit by way of affidavit, the steps taken in this regard. The affidavit be filed by 16.09.2025.

List this matter on 18.09.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge