



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***

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

*Mr. Avijit Pattnaik
Advocate
Secretary, OHCBA*

*Er. N.K. Mohanty
Amicus Curiae*

*Mr. Bijay Kumar Dash
Amicus Curiae*

-versus-

State of Odisha & others Opp. Parties

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

CORAM:

JUSTICE S.K. SAHOO

JUSTICE V. NARASINGH

ORDER

16.10.2025

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



S.C.B. MEDICAL COLLEGE AND HOSPITAL ISSUES

NON-AVAILABILITY OF ESSENTIAL MEDICINES IN NIRAMAYA CENTRE

339-A.
16.10.2025

When this matter was taken up on 04.09.2025, Prof. (Dr.) Goutam Kumar Satpathy, Medical Superintendent I/c., SCBMCH, Cuttack appeared through virtual mode and submitted that since the total estimated cost of installing eight nos. of digital boards was Rs.11,42,240/-(rupees eleven lakhs forty two thousand two hundred forty), tender process would be initiated for this purpose and it would take some time to procure and install the same.

Mr. Debasis Nayak, learned Addl. Govt. Advocate has produced the written instruction dated 16.10.2025 of the General Manager (Technical), Odisha Computer Application Centre (OCAC), addressed to the Superintendent, SCBMCH, Cuttack, wherein it is stated that work order has been issued to M/s. Addsoft Technologies Ltd. for the installation of 10 (ten) nos. of Digital Display Boards at Niramaya Kendras and CT Scan/MRI areas of SCBMCH, Cuttack. As per the latest status, the agency has already installed 8 (eight) display boards out of 10 (ten). The remaining 2 (two) units will be installed, commissioned and integrated with Niramaya/DVDMS and OeHMIS systems within 3 (three)



weeks.

However, it is observed that power connection to the installed display systems has not yet been provided by SCBMCH. Due to this, the installed systems are presently non-functional.

In the said written instruction, the Superintendent, SCBMCH, Cuttack has been requested to arrange power connection to all 10 (ten) digital display boards at the earliest to ensure their smooth functioning.

The written instruction dated 16.10.2025 of the General Manager (Technical), OCAC is taken on record.

Relating to the status report on installation of Digital Display Boards at SCBMCH, Cuttack, when the response of Prof. (Dr.) Goutam Kumar Satpathy, Medical Superintendent I/c., SCBMCH was sought for, appearing through virtual mode, he stated that non-availability of power connection is not the sole reason for non-functioning of the eight display boards already installed and it is said that because of lack of integration of Niramaya/DVDMS and OeHMIS systems, the display boards are not functioning.

It is brought to the notice of this Court that the installation and functioning of the display system of SCBMCH is handled by OCAC and they have sought for further three weeks' time to make it fully functional.



During the deliberation, Ms. Aswathy S, IAS, Commissioner -cum- Secretary, Family & Welfare Department, Govt. of Odisha appearing through virtual mode has assured this Court that she would have a joint meeting with the IT, OCAC and other stakeholders and intimate this Court regarding functioning of the digital display boards inside SCBMCH, Cuttack at an earliest.

List this matter on 27.11.2025.

The Registry is called upon to issue necessary intimation to the authorized personnel of OCAC to remain present either virtually or physically during the next deliberation.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

OPEN HEART SURGERY IN DEPARTMENT OF CTVS

339-B.
16.10.2025

When this issue was taken up on 25.09.2025, the Superintendent, SCBMCH, Cuttack filed an affidavit annexing the death review proceeding for the patients' death of SCBMCH after open heart surgery from 2023-2025 till 13.09.2025 and in the particular format for death review with auditing report, it seems that there are several columns where no suggestions have been given



referring to lapses, if any, in the medical care or hospital protocols and if so, how to improve the patient care and accordingly, this Court directed the Superintendent, SCBMCH, Cuttack to file an affidavit suggesting improvements in medical care or hospital protocols and measures to be taken to prevent lapses, if any, that may have contributed to the increase in mortality rates.

On 25.09.2025, the Commissioner -cum-Secretary, Health & Family Welfare Department sought for some time to apprise this Court about formation of another team of competent doctors in CTVS Department to conduct open heart surgery and other issues.

Prof. (Dr.) Goutam Kumar Satpathy, Medical Superintendent i/c., SCBMCH, Cuttack has filed an affidavit dated 15.10.2025, regarding this issue, which is taken on record. In the said affidavit it is stated as follows:

"**1.** In order to address the issue, a meeting was convened on 04.10.2025 under the Chairmanship of the Superintendent, SCBMCH, Cuttack comprising of HoDs of clinical departments such as Anesthesiology, Surgery, Medicine, Cardiology & CTVS wherein it was concluded that it will be ensured by the operating team of surgeons to adhere to evidence-based guidelines & best clinical practices for complicated open-heart surgery to decrease mortality rate. Further, the committee members



suggested to follow the protocols mentioned hereunder in order to improve better health care in the hospital:

(i) Focus on individual patient centered care for open heart surgery to improve outcome;

(ii) Continuous quality improvement mechanism to be formulated for patient safety;

(iii) Advance training programme for the doctors and paramedical staffs for open heart surgery;

(iv) To be more vigilant and careful on the part of Anesthesia and Surgical team during and after open heart surgery with a swift response to complications and its early detections to prevent further deterioration of the patient status;

(v) Use of advanced anesthesia drugs, consumables and equipment for the open-heart surgery procedures;

(vi) Formation of a rapid response team in the department of CTVS to promptly respond to adverse outcome after open heart surgery;

(vii) Implement and adhere to cardiac surgery checklist for safe cardiac Surgery to reduce mortality.

A copy of the proceeding dated 04.10.2025 has been annexed to the affidavit as Annexure-A."

The affidavit dated 15.10.2025 of the Superintendent i/c., SCBMCH, Cuttack is taken on record.



The learned members of the Advocates' Committee stated that no time limit has been mentioned in the affidavit of Prof. Satpathy, as to when all the aforesaid protocols would be made ready to be followed for improving better health care in the hospital. Prof. Satpathy assured this Court that on the next date, he would be in a position to apprise this Court regarding the development made in this respect.

Ms. Aswathy S, IAS, Commissioner -cum-Secretary, Family & Welfare Department, Govt. of Odisha has filed an affidavit dated 15.10.2025, wherein it is stated that so far open heart surgery in the CTVS Department of SCBMCH, Cuttack is concerned, the availability of faculties in such super specialty disciplines in the State is very less. One team for one surgery requires one Professor, one Associate Professor and one Assistant Professor/Senior Resident. In addition, the ancillary staffs for one surgery are one perfusionist, three nurses, one OT Technician/Pharmacist. Steps will be taken to engage more Faculties and Senior Residents on contractual or regular mode with appropriate remuneration, so that there is no dislocation and let up in the patient care so far as open heart surgery is concerned. Until the additional three CTVS surgeon are available, the formation of a second team for cardiac surgery is not feasible.



It is further stated in the affidavit that steps would be taken to send the existing faculties in CTVS and critical care for exposure visit as well as advanced training. The already trained faculties posted in other medical colleges shall be deployed during the major surgeries. Further, steps are being taken to invite expert team from AIIMS, New Delhi for guidance, hands on training, developing the skill and confidence of the faculties, nursing and other paramedics for conducting the heart surgeries and suggesting in equipping the OT and ICU with appropriate modern equipment and instrument for the best outcome in patients who are undergoing cardiac surgeries. A copy of the communication/letter No.30054 dated 14.10.2025 relating to such training has been annexed to the affidavit as Annexure-D.

During interaction, when a query is made to Prof. Dr. Manoj Pattnaik, HoD, CTVS Department, SCBMCH, Cuttack as to whether all the open heart surgeries are conducted by him and the Associate Professor and Asst. Professor are just assisting him or the Associate Professor is also independently conducting open heart surgeries with the assistance of others, Prof. Dr. Pattnaik stated that whenever such surgeries are being conducted independently by Associate Professor, he is remaining present to oversee that the procedures are followed in a correct manner.



There is no dispute that open heart surgery is a major surgery. It can be a life-saving operation for some. For others, open heart surgery improves their symptoms, making it easier for them to do everyday tasks. This can give them a better quality of life. There are several risks and complications of open heart surgery but if it is properly planned and a team of experts carry out the surgery, there are good chances of success.

During hearing of the open heart surgery and steps taken to reduce the mortality rates, Ms. Aswathy S., IAS, Commissioner -cum- Secretary, Health & Family Welfare Department appearing through virtual mode has intimated this Court that in the meanwhile, matter has been taken up with All India Institute Of Medical Sciences, New Delhi and Govt. Medical College, Kottayam, which is in the Govt. sector and it has excellent track record and they have assured that they would depute team(s) which would guide the surgeons at SCBMCH, Cuttack so that concerted effort can be made to reduce the mortality rates which, at this stage is alarming.

This Court expects that steps taken would bring the desired result and the steps so taken shall be considered in the next sitting in this regard.

List this matter on 27.11.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge



NON-SUPPLY OF EQUIPMENTS AND INSTRUMENTS

339-C.
16.10.2025

When this issue was taken up on 25.09.2025, learned counsel for the State took time to file an affidavit of the Commissioner -cum- Secretary, Health & Family Welfare Department outlining in detail the process followed for procurement of such medical instruments and equipments including the process followed in cases of emergency. Learned counsel appearing on behalf of OSMCL also took time to place on record the affidavit as per the order dated 04.09.2025.

Ms. Aswathy S, IAS, Commissioner -cum- Secretary, Family & Welfare Department, Govt. of Odisha has filed an affidavit dated 15.10.2025, wherein it is stated that the institutions requiring equipments and instruments send a requisition list in an appropriate format to the DMET. Consequently, DMET sends the indents for equipment to the State Drug Management Unit (SDMU) under Member Convenor, Jt. Director of Health Services, Odisha for compilation. The list is forwarded to State Equipment Management Committee (SEMC) for evaluation of repetitions, correctness of technical specification, evaluation of financial prudence etc. Then the list is placed before State Level Purchase Committee (SLPC) with recommendation for consideration and final recommendation. After due approval of the Government, the approved list of equipment is forwarded to the



procurement agency i.e., OSMCL for procurement.

It is further stated in the affidavit that mere sending of the institutional requisition does not automatically guarantee procurement at the departmental level. As per Rational Procurement Planning and Management of Equipment, Instrument and Furniture (EIF) issued vide Notification No.31162 dtd 11.12.2014 of the Health & Family Department, the SLPC approves the indents recommended by SEMC basing on prudence, clinical utility, availability of trained manpower, site readiness and correctness of technical specifications, ensuring availability of healthcare services at all Government health facilities in an equitable manner. Following the SEMC approval, the items are procured by e-tender process. Further, it is stated that OSMCL has issued instructions/letters to all the health facilities for procurement of urgently required EIFs at the facility level within their permitted financial limits.

Dr. Amitabh Prusty, General Manager-Operation (Equipment), Odisha State Medical Corporation Ltd. has filed an affidavit dated 14.10.2025, wherein the relevant paragraphs read as under:

“1. The OSMCL being the nodal procuring agencies of the equipment and furniture for all the healthcare facility in the State has always endeavoured to make them available at the shortest possible time,



despite all the hurdles and constraints. OSMCL procures biomedical equipment & furniture for all the healthcare facilities including 6688 nos. of Sub Centers, 70 nos. of UPHCs, 1233 nos. of PHCs, 374 nos. of CHCs, 6 nos. of UCHCs, 32 nos. of SDHs, 32 nos. of DHHs, Specialty Hospitals & 14 nos. of MC & Hs across the State.

Apart from the different health care facility in the State OSMCL also received indents for procurement for National Health Mission for rolling out Central Health Schemes and from other Govt. departments like Animal Husbandry, Women & Child Development Dept., Directorate of AYUSH, Labor & ESI Department etc. and a number of programs targeting Menstrual Hygiene & Vision testing which are rolled out under the School & Mass Education Department. OSMCL's role is not just limited to procurement but OSMCL also manages the maintenance and upkeep of all the biomedical equipment installed across all the healthcare facilities in the State.

Procedure involved in procurement of Equipment Instrument and Furniture (EIFs) after approval of indents by the State Equipment Management Committee (SEMC).

2. SEMC approves the indent of EIFs for procurement biannually, however if there is urgency in requirement of EIFs, emergency meeting of SEMC is conducted and EIFs indents are approved for urgent



procurement. The number of items under EIF indents approved by the SEMC usually varies from 100-2000 items. Following SEMC approval for each approved item, a Standard Procuring Procedure is being followed which is unique and independently done for each item, which has been illustrated as follows:

i. A Technical Committee consisting of panel of specialized doctors & experts of the respective discipline is constituted by the indenting directorates;

ii. This Technical Committee usually constitutes of experts and clinicians from different health facilities across the State and also from experts from premier institutions outside the State;

iii. This Technical Committee is responsible for deriving the technical specifications for the approved Equipment;

iv. In case of High Valued Super Specialty & Critical Equipment, the Technical Committee may choose to visit other specialized institutions where such types of equipments are available;

v. Technical Committee may also call for presentation meeting from intending Original Equipment manufacturers;

vi. After finalization of technical specifications, OSMCL initiates the process for floating of tenders;



vii. OSMCL floats item wise E-Tender through GeM/NIC portal for the indented EIFs commonly with one (01) year rate contract as per the scope, terms and conditions mentioned in tender document;

viii. Pre-bid meeting is scheduled after 7 days of floating of E-tender. Prospective bidders share their opinions for modification of specifications, terms and conditions, quality certificates etc.;

ix. Intending bidders submit their formal written opinions/ requests to improve/modify the specifications, terms and conditions, quality certificates needed with relevant supporting documents;

x. The Technical Committee with expert/doctors is reconvened to examine the amendments suggested by the prospective bidders for their opinion/suggestions;

xi. In some High Value and Specialized equipment with very detailed specifications, the Technical Committee may choose to sit more than once and discuss with any other external experts before giving their opinion. For e.g.: For floating the tender for implementation of NAT testing facility with ID methodology the technical committee was convened seven times;

xii. Based on the final suggestion of the Technical Expert Committee, the amendment document is prepared with the final specifications and published online



& thereafter online bidding process starts, which is open for minimum 14-21 days. The bidding time, in majority of cases is extended for another 7-15 days based on requests of the prospective bidders;

xiii. Based on number of bids received, specialization of the equipment and verification of documents & certifications, the document verification part of the technical evaluation may take minimum 15 days up to 30 days depending upon the number of bidders / items. In tenders where clubbing of items is done, the evaluation time may further exceed;

xiv. Majority of the cases require seeking of clarifications (if any) from participating bidders providing them with adequate time for submission of clarification and other supporting documents;

xv. The Technical Committee is reconvened for vetting of the final evaluation sheet for acceptance/rejection/demonstration/asking further clarifications, if any;

xvi. In many cases, the Technical Expert committee for better scrutiny recommends physical demonstration of selective items by the technically qualified bidders. Compliance to technical specification is physically checked. End users' comments on overall performance are also contemplated & considered;



xvii. Final selection/rejection list is prepared and uploaded online;

xviii. Any representations received are also placed before the Technical Committee at this stage so that the tender is more transparent and does not attract any legal complication at later stage. Subsequently, the opening of price bid of selected bidders is done;

xix. After online price bid opening, prices are manually counter checked & L1 bidder is selected;

xx. In case of GeM tenders, Reverse Auction processes followed for finalization of price;

xxi. Meanwhile, verification of site readiness, availability of trained manpower & statutory certifications from end users is also confirmed;

xxii. Notification of Award is intimated to selected bidders. Bidders are to deposit required performance security & sign necessary agreement;

xxiii. Subsequently Purchase Order is being issued by OSMCL;

xxiv. The delivery period is 70 days for indigenous items & up to 150 days for imported equipment.

From perusal of the process involved in the procurement of any EIF, it may be concluded that for a normal transparent procurement cycle for even a single item processed individually and without any challenges



(be it legal, no-bids, single bids, very high-end specification equipment, new items involving critical technologies, equipment requiring statutory certifications like AERB, equipment requiring demonstrations etc.), it needs 6-9 months (in case of retender) for issuance of Purchase Order after SEMC approval followed by delivery time of another 70-150 days, subject to site preparedness, availability of trained technical manpower and availability of resources.

3. Further it will be pertinent to state here that though huge number of equipment are approved by SEMC at one go, the procurement process of approved equipment is taken up with the following priorities:

i. Procurement for different health facilities in the State depending on availability of space and trained manpower for functionalization of the equipment for the super specialty departments of SCBMCH & other Medical Colleges of the State;

ii. Essentiality of Equipment, Instrument & Furniture (EIF) in view of National Medical Commission compliance for the new medical colleges;

iii. Opening and functionalization of new Medical Colleges and other peripheral health facilities;

iv. Procurement for implementation of time bound central schemes like AMLAN, Sickle Cell, TB elimination, XV FC Grant, PM-ABHIM etc.;



v. Implementation of specific & time bound projects (such as BMRC Cardiac Care Hospital, Jharsuguda, Cancer Care Hospital, Bargarh etc.);

vi. Urgency of requirement in view of preparedness for epidemic situations.

4. However, the OSMCL has issued instructions/letters to all the health facilities for procurement of urgently required BIFs at the facility level within their permitted financial limits.

Urgent procurement for COVID-19 and backlogs arisen in the subsequent years

5. It is further stated in the affidavit that majority of the procurements during the year 2020-2022 were focused for procurement of equipment required for effective handling of the pandemic of COVID-19. OSMCL played a crucial role by procuring COVID-19 related critical equipment as a result of which many dedicated COVID-19 hospitals (Both in Govt. and PPP sector) could be setup. Testing facilities in all the districts were established with setting up of Biosafety SL 2+ laboratory facility in all districts. OSMCL ensured uninterrupted supply of all Testing Reagents for RT-PCR Testing, setting up of ECMO Facility at SCBMCH, Cuttack, setting up of Liquid Medical Oxygen Storage Vessel System and Pressure Swing Absorption at major District Hospitals etc. Non-COVID equipment approved during the said SEMC



approval year were kept on hold as OSMCL had to focus on priority procurement of equipment/testing kits etc. during COVID- 19 Pandemic period from the year 2020 till 2022. This included major number of equipment approved by SEMC in the Financial year 2021-22 (1138 Nos.) and 2022-23 (727 Nos.).

6. It is further stated in the affidavit that after the COVID-19 period in the year 2023, a record highest number of tenders, as much as 504 tenders were floated by OSMCL since inception (The number of tender floated during FY 2016-17=15 Nos., 2017-18=179 Nos., 2018-19=179 Nos., 2019-20=12 Nos., 2020-21=69 Nos., 2021-22=49 Nos. and 2022-23=103 Nos.) due to the following reasons:

- All SEMC approved and on-hold EIFs from the period 2020-22 were initiated for processing;
- SEMC approved EIFs for Letter of Permission (LOP) requirements as per NMC for establishment of 4 number of new Medical Colleges on urgent basis in 2023;
- Shifting of existing MC&Hs to the new Teaching hospitals (in phased manner);
- Establishment of BMRC Cardiac Care Jharsuguda & Cancer Care Hospital, Bargarh;
- Redevelopment of SCBMCH & SVPPGIP, Cuttack;



- Specialized high end equipment for old MC&Hs.

These 504 tenders floated during the year 2023-24 covered the indents like shifting of new Medical college & Hospitals, LOP (Letter of Permission) requirement of new Medical Colleges, redevelopment projects of SCBMCH, Cuttack & SVPPGIP, Cuttack, establishment of BMRC Cardiac Care Hospital at, Jharsuguda, Cancer Care Hospital at Bargarh, Specialized high-end equipment for old MC&Hs etc. These tenders include supply of major equipment such as 3T MRI Machine at SCBMCH, Cuttack, VIMSAR, Burla & MCGMCH, Berhampur, 128 CT Scan Machine at SCBMCH, Cuttack & BMRC Cardiac Care Hospital, Jharsuguda, High End Equipment for AHPGIC (LINAC, Brachytherapy) etc.

Limited Resources and manpower

7. It is further stated in the affidavit that the equipment division of OSMCL functions with a lean manpower which was sanctioned during the inception of the Corporation in 2015. Over the years, the value and bulk of procurement by OSMCL has increased manifold however, the manpower has not been accordingly revised which has caused a challenge in simultaneous processing of all approved projects and forced to prioritize on the essential ones. The process for manpower restructuring has already been initiated for enhancing the manpower



strength of the Corporation in tandem with the current and upcoming work load. It is further stated that with the existing available resources, OSMCL is trying its best to complete the pending indents on a time bound manner & after prioritization of urgency of requirement with the concerned indenting authority. The evaluation of pending tenders of SCB is being processed on priority as agreed upon by the different HoDs of the Departments of SCBMCH, Cuttack.

Updated status of the EIF as in Annexure B of Affidavit dated 02.09.2025:

8. It is further stated in the affidavit that presently SCBMCH, Cuttack has 346 Nos. of functional Syringe Pumps. In the meantime, OSMCL has already supplied 50 Nos. of syringe pumps to SCBMCH. Further, the Superintendent, SCBMCH, Cuttack has already been communicated to procure the Syringe Pumps at the institutional level being low cost equipment.

9. It is further stated in the affidavit that 282 Number of Equipment, Instrument & Furniture have already been supplied and installed at various departments of SCBMCH, Cuttack during March 2023 to August 2025 by OSMCL through local purchase of equipment done by SCBMCH, Cuttack. List of EIF already supplied through local has been annexed to the affidavit as Annexure-C.



10. It is further stated in the affidavit that with respect to supply of equipment requisitioned by the Department of Urology, Cardiology, Neurosurgery, Neurology, Pathology, Biochemistry etc. as stated in page 13 of the Affidavit filed on 02.09.2025, the OSMCL has submitted the latest status of the same, which has been annexed to the affidavit as Annexure-D.

It is further stated in the affidavit that OSMCL has adhered to the timeline committed in the affidavit and Purchase Orders scheduled in the month of September-2025 has already been issued. Further, it is stated that most of the equipment; which are under the process of bid evaluation are already available in other departments of SCBMCH, Cuttack and the patient care is not being hampered due to unavailability of the equipment in the particular department.

11. It is further stated in the affidavit that in the meeting held between OSMCL and with the Superintendent, SCBMCH, Cuttack on dtd. 09.09.2025, Cuttack along with all the HoDs of concerned departments of SCBMCH, Cuttack, priorities have been set for procurement of indented equipment at the earliest possible time. OSMCL has also issued instructions/letters to all the health facilities for procurement or urgently required EIFs at the facility level within their permitted financial limits.



The affidavit dated 14.10.2025 of the General Manager-Operation (Equipment), OSMCL is taken on record.

Although there was a specific direction by this Court to list the procurement process in case of an emergency, both, the affidavit filed by the Commissioner -cum- Secretary, Health and Family Welfare Department and the affidavit filed by OSMCL are conspicuously silent about such emergency procurement. This Court, therefore, directs the MD, OSMCL to explore the possibility of adopting an expedited process of procurement in case of an emergency. Such expedited process to be adopted in case of an emergency be placed before the Court on the next date.

List this matter on 27.11.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

**SARDAR VALLABHBHAI PATEL POST GRADUATE
INSTITUTE OF PAEDIATRICS - SISHU BHAWAN**

MOVEMENT OF VEHICLES INSIDE SISHU BHAWAN

340-A.
16.10.2025

Concern was raised regarding the movement of vehicles inside Sishu Bhawan after the new gate became



operational.

The Superintendent, SVPPGIP Prof. Prabhakar Mishra intimates that tender will be floated to procure suitable battery operated vehicles keeping in view the special needs to facilitate the movements of the patients from the designated place to the different departments.

During the deliberations, learned Senior Counsel, Mr. Manoj Mishra, President of the Orissa High Court Bar Association present in Court suggested that initiatives should be taken to seek the support of the Corporate Sector to provide such vehicles through their CSR initiative.

The Superintendent, SVPPGIP has assured that he will take necessary follow up action in the right earnest in this regard so that the battery operated vehicles which are essential for the patients movement are provided without any further delay and without waiting for the tender process to be finalized.

Steps taken in this regard shall be placed on record by the next date.

List this matter 27.11.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge



INSTALLATION OF GLOW SHINE BOARD

340-B.
16.10.2025

As per order no.332-A dated 25.09.2025, learned counsel for the State was asked to apprise this Court about the installation of glow shine board for newly constructed G+6 Multiutility building and hostel building of SVVPGIP, Cuttack. The instruction relating to the installation of glow shine board for newly constructed G+6 Multiutility building and hostel building of SVVPGIP, Cuttack is taken on record.

Md. Shahbaz, Superintending Engineer, Cuttack (R & B), Division No.I, has assured this Court that the glow shine board for the newly constructed G+6 Multiutility Building and Hostel Building of SVVPGIP, Cuttack will become functional from tomorrow (17.10.2025).

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

OPEN DRAIN IN SHISHU BHAWAN

340-C.
16.10.2025

A news item was published on 14.10.2025 under the heading "**SISHU BHAWAN RE ASWASTHAKAR PARIBESH, PADI RAHICHI ABARJANA, MUKULA PADICHI DRAIN**" in the vernacular daily. The same is taken on record.



During the course of hearing, this Court was apprised that open drain in Shishu Bhawan requires immediate cleaning.

So far as drainage system is concerned, the Commissioner, CMC, Ms. Kirandeep Kaur Sahota, IAS, who is present through virtual mode, intimates this Court that financial bid is likely to be opened very shortly and work may commence from 01.11.2025. Pending such works, since the issue relating to clogged up drains as reported requires immediate attention, the Commissioner, CMC has assured this Court that she shall impart necessary instruction immediately for a team of officials to visit Sishu Bhawan tomorrow (17.10.2025) around 9.30 a.m. along with the representatives of the Advocates Committee.

The Superintendent, SVPPGIP Prof. Prabhakar Mishra shall identify the places which require immediate cleaning.

The Commissioner, CMC has also assured this Court that she will pass necessary instructions for cleaning and lifting of the garbage simultaneously so that there is no dumping of the same in Sishu Bhawan premises.

Steps in this regard shall be taken for consideration on 13.11.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge



ISSUE RELATING TO DIFFERENTLY ABLED GIRLS STUDENTS IN SHAILABALA WOMEN'S AUTONOMOUS COLLEGE, CUTTACK

341.
16.10.2025

The plight of lack of basic facility for 35 differently abled girl students in Shailabala Women's Autonomous College, Cuttack published in the vernacular daily is taken on record. It is stated in such report that the class rooms, library, hostel and other facilities are not conducive for the differently abled. There is no wheel chair and even using the washroom is an ordeal.

Considering the same, Mr. Shibo Toppo, the Additional District Magistrate, Cuttack, who is the Nodal Officer on behalf of the District Administration is called upon to visit the College tomorrow (17.10.2025) around 10 a.m. with prior intimation to the Principal of the said College and take stock of the situation and take emergent measures relating to the issues which need to be addressed immediately and also place before this Court plan of action which would address the issue on a permanent basis.

Ms. Padmalaya Mohapatra, Joint Secretary of Orissa High Court Bar Association and member of the Advocates' Committee, shall be a part of the team visiting the Shailabala Women's Autonomous College on 17.10.2025.



The Commissioner-cum-Secretary of the Higher Education Department and the Commissioner-cum-Secretary of the Social Security & Empowerment of Persons with Disabilities Department be intimated to remain present in the next sitting either virtually or in person.

Necessary intimation in this regard shall be given by Mr. Nayak, learned Additional Government Advocate.

List this matter on 23.10.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

CONTROL OF AIR & NOISE POLLUTION

342.
16.10.2025

The DCP, Cuttack in his affidavit dated 03.09.2025 relating to control of air and noise pollution has indicated the restricted zones in which no sound or music instruments shall be played.

The Paragraph-vii of the affidavit which is germane for the purpose is extracted hereunder;

“(vii) No sound/music instrument shall be played in restricted zones such as Chandini Chowk, Nimchoudi, High Court Chhak,



Howrah Motor Chhak to Cantonment Chhak and SCBMCH, Cuttack Chhak. In case any violation of the prescribed sound limit is noticed, all such musical instruments shall be seized and legal action shall be imitated as per law;"

It is brought to the notice of this Court by the members of the Advocates' Committee that inadvertently the City Hospital, Cuttack has not been mentioned therein.

Mr. Shibo Toppo, Additional District Magistrate, Cuttack, who is also the Nodal Officer on behalf of the District Administration, is present virtually and assures this Court that necessary steps in this regard in issuing the direction including the City Hospital area shall be passed within a day or two. Keeping the welfare of the patients admitted in the City Hospital, the said Hospital be taken as the central point for imposition of sound restriction, as has been done in case of other places as mentioned in the paragraph quoted herein above.

Mr. Nayak, learned Additional Government Advocate is called upon to coordinate with the concerned officials in this regard to ensure that the necessary follow up action is taken within 48 hours to notify the area in and around the City Hospital as "silent zone", as per the prevailing norms.



List this matter on 23.10.2025.

(S.K. Sahoo)
Judge

(V. Narasingh)
Judge

16th October 2025
PKS/Sipun