



**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**

**11.12.2025**

These matters are taken up through Hybrid arrangement (video conferencing/physical mode).



**S.C.B. MEDICAL COLLEGE AND HOSPITAL,**  
**CUTTACK : ISSUES & PROBLEMS**

**(i) SICK NEWBORN CARE UNIT**  
**(SNCU) & MATERNITY WARD**

**365-A.**  
11.12.2025

As per order no.343-D dated 23.10.2025, on the basis of the report of the learned Advocates' Committee relating to Sick Newborn Care Unit (SNCU) and Maternity Ward of SCBMCH, Cuttack, learned counsel for the State was called upon to obtain instruction regarding the suggestions given by the learned Advocates' Committee in its report.

The learned Advocates' Committee highlighted regarding infrastructure and equipment needs and stated that the SNCU is facing challenges related to space, equipment availability and staffing. They have further highlighted that improvements are required to ensure adequate neonatal beds, sufficient ventilation circuits and a dedicated area for specialized care such as kangaroo mother care and that addressing these issues would enhance neonatal outcomes and overall care quality.

It is also highlighted in the report of the learned Advocates' Committee that the Labour Room and Maternity Ward are experiencing high patient load with an average of 25-30 labours per day.



Infrastructure and equipment shortages, combined with inadequate sanitation and lighting facilities are impacting patient care. Immediate action is recommended to provide additional ICU beds, essential monitoring and diagnostic equipments and to improve sanitation facilities for both patients and attendants.

Prof. (Dr.) Goutam Kumar Satpathy, Medical Superintendent, SCBMCH, Cuttack as well as Prof. Dr. Srimanta Das, HoD, Pediatrics and Prof. Dr. Subhra Ghosh, HoD, Gynecology is present through virtual mode.

Learned counsel for the State has produced a letter no.28224 dated 10.12.2025 of the Medical Superintendent, SCBMCH, Cuttack regarding this issue, which is taken on record.

In the said letter, it is stated that as regards the suggestions given by the learned Advocates' Committee dated 23.10.2025 to improve the SNCU & Maternity Ward of SCBMCH, Cuttack, necessary steps have been taken to carry out the suggestions as feasible which are mentioned below:

**1. Sick Newborn Care Unit (SNCU):**

**"a) Infrastructure & Equipment Needs:**

- 10 numbers of ICU beds have been supplied to the SNCU;



- Ventilation circuits have been provided sufficiently;
- Neo surfactant injection is being provided to the SNCU through local purchase in case of non-availability in the Central Warehouse of OSMC situated inside the hospital premises;
- 4 nos. of portable ultrasound machines have been provided to the HoD concerned.

**b) Medical & Treatment Notes:**

- After due discussion with the HoDs, O & G and Paediatrics Department, the HoDs concerned have assured to address the issues of Birth Asphyxia and Kangaroo Mother Care by making all out efforts.

**c) Staffing:**

- Additional staff will be provided after filling up of the posts of nursing personnel lying vacant.

**d) IV and Feeding Notes:**

- The HoD of the department concerned has been instructed to ensure the recording of specific oral or IV feed/drug amounts and time.

A list of status of medical equipment/instruments for SNU has been annexed to the letter



as Annexure-A. It reflects the name of items, the quantity, the action taken and the status. Under the heading of action taken, it is mentioned that it is sent to DMET (O) vide office letter no.24858 dated 28.10.2025. Under the heading of status, in some items, it is mentioned that the times has been received, in some other items, it is under process at the level of OSMCL and in some items, it is mentioned that purchase order has been placed by OSMCL. Annexure-A to the letter dated 10.12.2025 is reproduced herein below:

Annexure - A

**STATUS OF MEDICAL EQUIPMENTS/INSTRUMENTS OF NEONATAL ICU  
(PAEDIATRIC), SCB MCH, CUTTACK**

Sl No	Name of the Item	Qty.	Action Taken	Status
1	Radiant Warmer	10	Sent to DMET(O) vide this office letter No. 24858 dtd. 28.10.2025	Purchase order placed by OSMCL vide order No. 496 dtd. 29.11.2025
2	Neonatal Ventilator	5		Received from OSMCL on dtd. 01.12.2025, under installation
3	Bubble CPAP with humidifier	5		Under process at the level of OSMCL
4	Transport incubator with ventilator	2		Under process at the level of OSMCL
5	Neonatal Incubator	2		Under process at the level of OSMCL
6	Multipara neonatal monitor	5		Received from OSMCL on dtd. 01.12.2025, under installation
7	Phototherapy unit	10		Purchase order placed by OSMCL vide order No. 494 dtd. 29.11.2025
8	Blood Gas Analyser (ABG Machine)	1		Under process at the level of OSMCL
9	Infusion Pump	15		Purchase order placed by OSMCL vide his order No. 492 dtd. 29.11.2025
10	Point care ultrasound	1		Order placed by OSMCL vide his order No. 500 dtd. 29.11.2025
11	Digital X-ray (Mobile)	1		Purchase order placed by OSMCL vide his order No. 498 dtd. 29.11.2025
12	Neonatal EEG machine	1		Under process at the level of OSMCL
13	T-piece Resuscitator (Neonatal)	3		Purchase order placed for supply at this level
14	Nitric oxide delivery system	1		Purchase order placed by OSMCL vide his order No. 498 dtd. 29.11.2025
15	Neonatal Hearing screener	1		Purchase order placed for supply at this level
16	HHFNC	4		Purchase order placed by OSMCL vide his order No. 498 dtd. 29.11.2025



As stated by the HoDs of the concerned departments, earliest procurement of the above equipments/instruments is very much necessary.

Relating to the status of medical equipments and instruments of Neonatal ICU (Paediatric), SCBMCH, Cuttack, Dr. Poma Tudu, Managing Director, OSMCL brought to the notice of this Court that equipments at serial nos.1, 5, 6, 8, 9, 10, 11 have already been supplied. She stated that more equipments than as reflected at serial no.1, 9 10, 11 under Annexure-A has been supplied and equipments which are mentioned at serial nos.13 & 15 have been allowed to SCBMCH, Cuttack to make local purchases keeping in view the urgency. In respect of supply of Neonatal Hearing Screener, which is at serial no.14, it is stated that because of the highly technical nature of the equipment, it will take longer time and she states that OSMCL would try to procure and provide the same within a period of three months and the rest of the items will be made available at the earliest.

Dr. Srimanta Das, HoD, Pediatrics acknowledges the receipt of such equipments.

During course of hearing, Ms. Aswathy S., I.A.S., Commissioner -cum- Secretary, Health & Family Welfare Department who appeared through



video conferencing brings to the notice of this Court that because of lack of inter-departmental coordination and non-involvement of senior faculty, certain issues have arisen and it is not entirely attributable to lack of equipments.

She is called upon to place a note in this regard suggesting remedial measures which will be taken in the next sitting of the Court.

## **2. Labour Room & Maternity Ward**

### **Observations:**

Regarding the substantial improvement in patient care in the Department of O & G, the HoD of the Department concerned has assured that measures will be taken as and when necessary within the available resources to provide better patient care.

### **a) Equipment and facility requirements:**

As per the requisition made by the Prof & HoD, Paediatrics, SCBMCH, Cuttack for SNCU, the Office of the Superintendent, SCBMCH, Cuttack has taken necessary steps for procurement of the equipment/instruments.

### **b) Manpower and Facility Issues:**

- Additional staff will be provided after filling up of the post of nursing personnel lying vacant;



➤ There are 5 toilets in the Labour Room, 3 numbers of toilets for patient attendants are available. For attendants outside of Labour Room, there are toilets and bathroom with proper facilities of water and lighting. The toilets are cleaned regularly. Rest areas for female and male attendants are also made available. There are adequate numbers of Nursing Officers posted in the Labour Room.

List this matter on 22.01.2026.

The lady members of the Advocates' Committee who have earlier visited the SNCU & Maternity Ward are requested to visit the wards once again by the end of this month and submit a fresh status report. The Nodal Officers of this Court shall coordinate with the learned Advocates' Team and the Medical Superintendent in fixing a suitable date for such visit.

The HoD of Pediatrics shall submit a report as to how the improvements can be made relating to the issues of Birth Asphyxia and Kangaroo Mother Care as has been mentioned above under the heading of "Medical and Treatment Notes". Similarly, HoD of O & G shall submit a report indicating as to what



remedial measures are required to be taken for providing better patient care as mentioned under the heading of "Labour Room and Maternity Ward Observations".

The Medical Superintendent, SCBMCH, Cuttack shall submit a report indicating how many posts of nursing personnel are lying vacant, what steps have been taken to fill up such vacancy and how much time it would take for such purpose. He shall also indicate what steps have been taken to meet the equipment and facility requirements and when such requirements would be made available?

The Health Secretary apprised this Court that in the meantime, steps have been taken for recruitment of 4,433 nos. of nursing staff and once recruitment process is over, they will deploy such nursing personnel.

**(S.K. Sahoo)**  
**Judge**

**(V. Narasingh)**  
**Judge**

**(ii) LIVER TRANSPLANTATION ISSUE**

**365-B.**  
11.12.2025

When this issue was taken up on 20.11.2025, the learned counsel for the State



produced written instruction dated 17.11.2025 wherein the following aspects have been highlighted:

**(1)** It has been decided to prepare separate lists of patients for liver transplant and minor liver surgeries from General Surgery, Medical Gastroenterology and Surgical Gastroenterology;

**(2)** The AIG team will visit to perform the surgeries and simultaneously provide hands-on training to the surgeons of SCBMCH, Cuttack;

**(3)** The faculties and nurses will be sent for exposure training at AIG, Hyderabad. This will ensure availability of trained personnel, in the eventuality of transfer and promotion of existing faculties to other medical colleges;

**(4)** Steps are being taken for extension of validity of the MoU of the existing technical partner, AIG, Hyderabad for conducting the liver transplant surgeries;

**(5)** For CTVS Department, steps will be taken to engage more Faculties and Senior Residents on contractual or regular mode even with negotiated salary or remuneration;



**(6)** Steps will be taken to send the existing faculties in CTVS and critical care for exposure visit as well as advanced training;

**(7)** Steps are being taken to invite experts 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.

On 20.11.2025, it was also brought to the notice of this Court that extension of validity of the MoU of the existing technical partner, AIG, Hyderabad for conducting the liver transplant surgery has been communicated to them vide DMET letter no.23473 dated 10.11.2025 to extend their support but the response in this regard was awaited. Learned counsel for the State took time to place on record the response of the AIG, Hyderabad in this regard.

Today, the learned counsel for the State has produced a letter dated 10.12.2025 of the Commissioner -cum- Secretary to Govt., Health & Family Welfare Department regarding this issue, wherein it is stated that the Directorate of Medical Education & Training (DMET), Odisha has by way of letter no.23473 dated 10.11.2025 requested AIG, Hyderabad to extend their support for conducting



both minor liver surgeries and liver transplants in accordance with the terms and conditions of the previous MoU signed on 01.04.2024.

However, AIG, Hyderabad through its letter dated 10.12.2025 has regretted to extend these services in Odisha. Consequently, the matter has now been forwarded for necessary Govt. approval for the remaining provider to support liver transplant services. A copy of the letter dated 10.12.2025 of the CEO, AIG, Hyderabad has been annexed to the written instruction as Annexure-A.

The letter dated 10.12.2025 of the Commissioner -cum- Secretary, Health & Family Welfare Department, Govt. of Odisha is taken on record.

The Health Secretary informs this Court that taking into account the letter of the AIG, Hyderabad in declining support to conduct minor liver surgeries as well as liver transplant in view of its letter dated 10.12.2025, the Government has initiated communication with MGM, Chennai to approve the technical support to conduct liver transplant. Expeditious steps in this regard shall be taken to get the necessary approval for the benefit of the patients.

This Court is further informed by the Health Secretary that the collaboration that was envisaged



vis-à-vis AIG, Hyderabad being sought to be availed through the new technical partner MGM, Chennai and the details in this regard after examination of the MoU with the necessary approval of the Government shall be placed for consideration of the Court.

Mr. Nayak, learned AGA undertakes to submit a list of patients of liver transplant and minor liver surgeries from General Surgery, Medical Gastroenterology and Surgical Gastroenterology by the next date.

List this matter on 22.01.2026.

**(S.K. Sahoo)**  
**Judge**

**(V. Narasingh)**  
**Judge**

**(iii) OPEN HEART SURGERY IN**  
**DEPARTMENT OF CTVS**

**365-C.**  
11.12.2025

During previous deliberation on 27.11.2025, learned counsel for the State produced a letter dated 14.10.2025 of the Govt. of Odisha, Health & Family Welfare Department addressed to the Director, AIIMS, New Delhi, wherein it was indicated that due to retirement of faculty members and shortage of CTVS Surgeons in the State, there is a



pressing need to enhance the technical expertise of the existing team. In the said letter, necessary permission has been sought to send the faculty members and staff for a seven-day exposure visit and hands-on training in the CTVS Department at AIIMS, New Delhi. Request has also been made to send an expert from the CTVS Department of AIIMS to visit SCBMCH to provide guidance on equipping the operation theatre and ICU with appropriate modern instruments and technology to achieve optimal surgical outcomes.

Responding to the query of this Court as to whether any reply has been received by the Govt. from AIIMS, New Delhi and Govt. Medical College, Kottayam to depute experts to SCBMCH to guide Surgeons, on 27.11.2025, the learned counsel for the State produced a letter dated 26.11.2025 of the Deputy Secretary to Govt., Health & Family Welfare Department, wherein two weeks' time was sought for to enable the Department to prepare and submit the required documents on this issue.

Learned counsel for the State was also called upon to obtain instruction on the letter dated 12.09.2025 of the Medical Superintendent, SCBMCH, Cuttack addressed to the Director of Medical Education & Training, Odisha regarding regular



posting of qualified cardiac anaesthesia faculty and round the clock posting of Anaesthesia resident in the CTVS Department.

The Commissioner -cum- Health Secretary, Health & Family Welfare Department was also called upon to apprise this Court about the steps taken to engage more faculties and Senior Residents on contractual or regular mode with appropriate remuneration for not causing any dislocation and let up in the patient care so far as open heart surgery is concerned.

It was further directed that the response of the AIIMS, New Delhi so also Govt. Medical College, Kottayam be placed on record.

Learned counsel for the State has produced a letter dated 10.12.2025 of the Commissioner -cum- Secretary to Govt., Health & Family Welfare Department regarding this issue, wherein it is stated that an advertisement vide No. 25447 dated 04.12.2025 was issued by DMET, pursuant to which a total of six candidates have applied for recruitment to the Department of CTVS at SCBMCH, Cuttack as Assistant Professors. Out of them, two candidates in Anaesthesia-ECMO have been selected through the prescribed interview process. The process of issuing further advertisements shall continue until the



remaining vacant posts are filled up.

It is further stated in the letter that steps are being taken to invite experts from AIIMS, New Delhi for technical guidance and strengthening of the CTVS department of SCBMCH, Cuttack. Letter from the Department has been sent to the Director AIIMS, New Delhi to depute Prof (Dr.) A. K. Bisoi of CTVS Department of AIIMS, New Delhi vide No.36203 Dt.6.12.2025.

It is further stated in the letter that the letter to Director Medical Education, Thiruvanthapuram, Kerala has been communicated vide Letter No.25652 Dt.9.12.2025 of DMET Odisha, for exposure visit of officers from Govt. of Odisha to the CTVS Department of Kottayam as well as visit of experienced faculty of Govt. Medical College Kottayam to the CTVS Department of SCBMCH Cuttack for strengthening but the Department is currently awaiting their response.

It is further stated in the letter that steps will 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. The department is exploring the possibility of obtaining such expert



services through Central PSUs. In this regard, a team from H.L.L (a Central PSU under the MoHFW) is scheduled to visit in the third week of December.

Learned counsel for the State has produced another letter dated 10.12.2025 of the DMET, Odisha wherein it is mentioned that two doctors, namely, Arunima Pattanayak and Dhiramayee Behera have been selected and posted as Anaesthetist in the rank of Assistant Professors in the CTVS Department (ECMO) of SCBMCH, Cuttack on deputation basis. The letter dated 10.12.2025 is taken on record.

It is also brought to the notice of this Court that response from AIIMS, New Delhi and Govt. Medical College, Kottayam is awaited to provide technical guidance and hands on training to augment the skills of doctors and staff of CTVS Department.

This Court is informed by the Health Secretary that a team from Hindustan Latex Limited (in short, "H.L.L."), a central PSU under the MoHFW is scheduled to visit on 16<sup>th</sup> & 17<sup>th</sup> of this month to provide the necessary guidance for the CTVS Department to improve the patient care in CTVS Department.

Learned counsel for the State shall apprise this Court on the next date regarding the responses received from AIIMS, New Delhi, Director Medical



Education, Thiruvanthapuram, Kerala and also the status of the visit of the team from H.L.L. and sending the team of existing faculties in CTVS and Critical Care for advanced training.

List this matter on 22.01.2026.

**(S.K. Sahoo)**  
**Judge**

**(V. Narasingh)**  
**Judge**

**(iv) NON-SUPPLY OF EQUIPMENTS AND INSTRUMENTS**

**365-D.**  
11.12.2025

When this issue was taken up on 16.10.2025, the Commissioner -cum- Secretary, Family & Welfare Department, Govt. of Odisha filed an affidavit dated 15.10.2025 and the General Manager (Equipment), OSMCL filed an affidavit dated 14.10.2025 regarding this issue but both the affidavits were conspicuously silent about how the system handles emergency situation and therefore, this Court directed 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 was directed to be placed before this



Bench.

Similarly when this issue was again taken up on 27.11.2025, learned counsel appearing on behalf of OSMCL sought further time to file a comprehensive affidavit indicating the steps envisaged to deal with such emergent procurement. It was further directed that the MD, OSMCL shall remain present either virtually or in person on the next date.

Dr. Poma Tudu, Managing Director, Odisha State Medical Corporation Ltd., has filed an affidavit on this issue, which is taken on record.

In the affidavit, the relevant paragraphs read as under:

"1. The Odisha State Medical Corporation Limited (OSMCL) adheres to the following tendering process to expedite procurement in case of an emergency in conjunction with relevant provisions of Odisha General Financial Rules ("OGFR") 2023 and General Terms and Conditions (GTC) of GeM Platform:

**(i) Procurement from Single Source of Supply by Nomination in case of Proprietary Article Certificate (PAC):**

In circumstances where there is only a single source of supply for the goods intended to be procured, OSMCL obviates the lengthy tendering process and directly place purchase orders with the



sole supplier/manufacturer of such commodities by providing Proprietary Article Certificate (PAC) with approval of the next higher authority. (Rule-225 of OGFR-2023);

**(ii) Procurement of additional quantity in excess of original tender quantity:**

In case of emergency requirement, OSMCL by taking approval of the Board of Directors of OSMCL, follows the practice of placing additional Purchase Order with the existing preferred Bidder provided such tender continues to be valid on the date of placement of such additional purchase order. The same is being approved/ratified in the Board of Directors meeting of OSMCL;

**(iii) Procurement with Shorter Bid Duration:**

In case of emergency requirement and by obtaining approval of the next higher authority, OSMCL procures items with lesser bidding period than the prescribed period of at least three weeks period as per Rule-223 of Odisha General Financial Rules ("OGFR") 2023;

**(iv) Single Bid Procurement:**

Keeping in view the urgency of requirement and subject to fulfillment of following conditions, OSMCL procures desired items from a Single Eligible



Bidder after obtaining approval of the next higher authority. The same is being ratified in the Board of Directors meeting of OSMCL.

Process of Single Bid procurement is in line with (Rule-204 of OGFR-2023) ensuring the following:

- that the tender was adequately advertised and sufficient time was given for submission of bids,
- that the qualification criteria were not unduly restrictive,
- that the prices are reasonable in comparison to prevailing market price.

The process is placed before the High Level Procurement Committee (HLPC) for examination & recommendation for single tender procurement.

**(V) Direct Procurement without Local Purchase Committee (LP):**

In case of Low Value items, i.e. goods costing up to Rs.50,000/-, direct purchase can be made without market survey/ LPC.

**(vi) Procurement through Local Purchase Committee (LPC):**

In case of Low Value items, i.e. (goods costing above Rs.50,000/- and up to Rs.3.00 lakhs), procurement is done through recommendations of the



LPC to address urgent requirement.

**(vii) Emergency Procurement through GeM Portal:**

a) Direct Procurement for goods with value is **upto Rs.50,000/-**,

b) For goods with value above Rs.**50,000/- and up to Rs.10.00 lakhs**, procurement is made from the GeM seller having lowest price amongst the available sellers of at least three different manufacturers.

The delivery period for both the modes of procurement is kept as 15 days as per GeM norms to mitigate emergency requirement.

**(S.K. Sahoo)**  
**Judge**

**(V. Narasingh)**  
**Judge**

**BSWC DRAIN OF CUTTACK**

**366.**  
11.12.2025

When this issue was taken up on 20.11.2025, keeping in view such paramount public interest in the light of the project being of Rs.496 crores as on date and ramification of the same being not properly executed, this Court was impelled to pass the following directions (I) & (II) which, in the



considered view of this Court does not prejudice the interest of the State in any way,

(I) The DPR of 5 BSWCs be submitted to IIT, Bhubaneswar within two weeks for re-vetting to eliminate the possibility of any foundational error, however remote at the very inception;

(II) WATCO which is under the Administrative control of H & UD Department of the Government of Odisha having the desired expertise and proven track record of successful execution of the box drain shall execute the project.

It was directed that necessary compliance from the Government in H & U.D. Department to be placed on record by the next date.

Learned counsel for the State has produced a letter no.29915 dated 10.12.2025 of the Deputy Secretary to Govt., Housing & Urban Development Department, Govt. of Odisha, wherein it is stated as follows:

"As per the orders of this Court, WATCO has been instructed to execute the box drain projects of Cuttack Municipal Corporation vide Department Letter No.29693 dated 08.12.2025. A copy of the said



letter has been annexed to the letter dated 10.12.2025.

It is further stated that in order to comply the further orders of this Court, WATCO has already submitted the drainage DPRs to IIT, Bhubaneswar for re-vetting vide their letter no.9506 dated 08.12.2025. A copy of the said letter dated 08.12.2025 has been annexed to the letter dated 10.12.2025”.

The letter dated 10.12.2025 of the Deputy Secretary, Housing & Urban Development is taken on record.

This Court appreciates the sagacity of the Government in this regard.

Mr. Achyuta Bijayananda Behera, General Manager, Drainage, WATCO intimates this Court that a meeting has been fixed in IIT, Bhubaneswar on 16.12.2025 for technical discussion relating to the DPR as submitted.

Mr. Behera is called upon to take steps to expedite the vetting of the DPR.

This Court is apprised that the Managing Director of WATCO is out of this country on some professional engagement and he will resume his duties on 15.12.2025. Keeping in view the sensitive nature of assignment of construction of the BSWC of Cuttack Municipal Corporation, he is asked to join the



proceeding either in person or virtually on 18.12.2025.

List this matter on 18.12.2025.

**(S.K. Sahoo)**  
**Judge**

**(V. Narasingh)**  
**Judge**

**ISSUES RELATING TO THE UTILIZATION OF BALIYATRA GROUND FOR PRIVATE FUNCTIONS**

**367.**  
11.12.2025

During the course of hearing, the members of the Bar flagged the issue of private functions being organized in Baliyatra ground, both lower and upper. It is brought to the notice of this Court that huge gatherings are allowed without any safety and sanitation norms, which would endanger precious life if there is any untoward incident.

This Court is reminded of a dreadful incident that occurred in the year 1997, in Madhuban, Baripada on the occasion of annual devotees' conference of a particular spiritual organisation where, massive fire engulfed the camps where devotees were staying in which over 200 people were killed and hundreds more were injured with severe burns.



Recent stampedes during the religious and cultural events in different parts of the country are a grim reminder and this Court cannot be oblivious to the lurking danger.

It needs no emphasis that these gatherings create a severe strain on the civic, police and District Administrations in maintaining sanitation, law and order and safety.

Keeping in view the large number of people who congregate during such gatherings, it is necessary that the District Administration including police and fire authorities and the CMC make a concerted effort to put in place an SOP regulating such functions, inter alia, ensuring that the cost towards sanitation, security and safety are recovered from the organisers and the public exchequer is not drained.

Pending the formulation of SOP, in the interregnum necessary measures be taken to ensure the safety and security of the people attending such gathering specifically addressing the issues relating to the fire, traffic, crowd management and sanitation etc.

List this matter on 08.01.2026.

**(S.K. Sahoo)**  
**Judge**

**(V. Narasingh)**  
**Judge**



### **CLEANLINESS OF THE GROUNDS POST BALIYATRA**

**368.**  
11.12.2025

While considering the issue relating to cleaning of Baliyatra ground(s) post Baliyatra, it was brought to the notice of this Court by the members of the Advocates' Committee that violating the directions of this Court with impunity, garbage was torched in the Baliyatra ground and was also dumped in the river. Photographs to the said effect along with the recitals of the Advocates' Committee is taken on record.

The Deputy Commissioner of Sanitation, Mr. Behera stated the fire that is being adverted to, was by the 'Banjaras' to ward off cold on account of onset of winter and the garbage that is found in the river is not due to the dumping as alleged. Admittedly, the fire supposedly by the 'Banjaras' was not reported to the police authorities. This Court takes serious note of such lapse and contemplates action against the errant but before the same, would like to give an opportunity to the Commissioner, CMC to clarify the position. It may not be out of place to state that the torching of garbage was also reported in the vernacular dailies. Copy of the same along with the video footage is taken on record.

List this matter on 18.12.2025.



The Commissioner, CMC shall appear through virtual mode on the next date.

**(S.K. Sahoo)**  
**Judge**

**(V. Narasingh)**  
**Judge**

**CUTTACK IN CUTTACK**

**369.**  
11.12.2025

The site designated as "Cuttack in Cuttack" during the recently concluded Baliyatra also came up for consideration.

Steps taken to ensure the cleanliness of the same and its proposed utility shall be taken into consideration in the next sitting.

List this matter on 18.12.2025.

**(S.K. Sahoo)**  
**Judge**

**(V. Narasingh)**  
**Judge**