

W.P. (C) No.17691 of 2015
W.P.(C) No.17691 of 2015
W.P. (C) No.12362 of 2015
and
W.P. (C) No.5501 of 2016
13.07.2016

Mrs. Arati Ahuja, learned Secretary to Govt. in Health & Family Welfare Department is present in person in obedience to the earlier order passed by this Court.

Heard Mr. Sanjit Mohanty, learned senior counsel, Mr. Budhadeb Routray, learned senior counsel, learned Addl. Govt. Advocate and Mrs. Arati Ahuja, learned Secretary, who was called to appear in person regarding implementation of the interim orders dated 17.11.2015 and 14.12.2015.

Before going to the submissions advanced, learned Secretary to Govt. in Health & Family Welfare Department is directed to file a detailed affidavit within three weeks from today regarding the fact that those persons, who were already selected for opening Tele-Medicine Centres before the impugned order was passed, have been allowed to operate in their respective P.H.Cs. and C.H.Cs.

Learned Secretary to Govt. in Health & Family Welfare Department submits that, though 167 persons are shown to have been sanctioned with loan, only 27 persons have availed the loan facility and loan has been disbursed in their favour, as per instruction available with her. Those persons, in favour of whom loan has not been disbursed, cannot be said to have changed their status by their selection only. She further submits that, though the selected persons have been allowed pursuant to the interim orders passed by this Honble Court, the centres opened by some of the persons are not conducting any activities so far as Tele-Medicine is concerned.

Learned Secretary to Govt. in Health & Family Welfare Department may give all such details in the affidavit directed to be filed. The authorities of the OTTET are directed to meet the Secretary to Govt. in Health & Family Welfare Department by the end of next week by taking necessary appointment from her to supply her the details of the entrepreneurs already selected in the process, the activities of the Tele-Medicines undertaken by the selected persons in the centres opened by them, number of centres already opened, number of persons who have availed loan facility and loan has been disbursed in their favour before filing of the writ petition and problem, if any, in operating the activities of the Tele-Medicines in the centres so opened. The details of the discussion be reduced to a minutes signed by both the Health Secretary and the authorities of the OTTET. Said minutes be also filed along with the affidavit directed to be filed. The affidavit directed to be filed, may be filed by the Secretary to Govt. in Health & Family Welfare Department herself or by any officer subordinate to her on due authorization.

The personal appearance of Mrs. Arati Ahuja, learned Secretary to Govt. in Health & Family Welfare Department is dispensed with.

List this matter three weeks after.

The affidavit in question be filed in the meantime. If the persons selected have not been allowed pursuant to the impugned order passed by this Court, may be allowed to operate their centres in the meantime, after discussion with the authorities of the OTTET.

Two free copies of this order be supplied to the learned Additional Govt. Advocate for his reference and for communicating the same to the learned Secretary to Govt. in Health & Family Welfare Department.

C.R. Dash, J.

Urgent certified copy of this order
be granted as per the rules.

By order.