

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition(Civil) No.301/2000

CEHAT & ORS.

Petitioner (s)

VERSUS

UNION OF INDIA AND ORS.

Respondent (s)

(Appln . for permission to submit addl. documents and exemption
from filing OT and impleading party and intervention &
modification and intervention)

WITH IA 13 & 14 : Appln. for intervention and clarification

IA 15 : Appln. for impleadment and

IA 16 : Appln. for permission to take on record the
supplementary affidavit) filed by GS Chatterjee, Adv.

Date : 05-3-2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH

HON'BLE MR. JUSTICE DORAISWAMY RAJU

For Petitioner (s) Ms. Indira Jai Singh, Sr. Adv.
Mr. Sanjay Parikh, Adv.
Mr. RR Chandrachud, Adv.
Mr. AK Misra, Adv.For Respondent (s)
UOI Mr. Harish N Salve, SG
Mr. DS Mehra, Adv.for States of Gujarat and Mizoram Ms. Anu Sawhney, Adv.
Ms. Sumita Hazarika, Adv. for
Ms. H Wahi, Adv.for State of Punjab Mrs. Jayshree Anand, Addl. Adv. Genl. Pb,
Mr. Rajeev Sharma, Adv.For State of Assam Ms. Krishna Sarma, Adv.
Mr. VK Sidarthan, Adv. for
M/s Corporate Law Group, Advs.

for State of Orissa Mr. Radha Shyam Jena, Adv.

for State of Sikkaim Mr. A Mariarputham, Adv.
Arputham Aruna & Co., Advs.for State of Rajasthan Mr. Ranji Thomas, Adv. for
Mrs. KV Bharati Upadhyay, Adv. for
Mr. Javed M Rao, Adv.for State of Kerala Mr. John Mathew, Adv. for
Mr. KR Sasisprabhu, Adv.

for State of Haryana Mr. Jai Prakash Dhanda, Adv.

for Res.State of Goa Mr. Bhavanishankar V Gadnis, Adv.
Mr. Shiv Sagar Tiwari, Adv.
Ms. Sumita Inna, Adv.
Ms. Divya Singh, Adv.

for State of Arunachal Pradesh Mr. Anil Shrivastav, Adv.

for State of Tamil Nadu Mr. S Balakrishnan, Sr. Adv.
Mrs. S Revathy Raghavan, Adv.

for State of Karnataka Mr. Sanjay R. Hegde, Adv.
Mr. Sanjay Mitra, Adv.

for State of Nagaland Mr. Sanjay K Shandilya, Adv. for
Mr. VD Khanna, Adv.

for State of MP Mr. Satish K Agnihotri, Adv.

State of Tripura Mr. Rahul Singh, Adv.
Mr. Gopal Singh, Adv.

State of UP Mr. RC Vermla, Adv.
Mr. Mukesh Verma, Adv.
Ms. Neeta Sinha, Adv.

State of Uttranchal Ms. Rachna Srivastava, Adv.
Mr. Mahesh C Kaushik, Adv.

State of West Bengal Mr. Tara Chandra Sharma, Adv.
Mr. Ajay Ssharma, Adv.
Ms. Neelam Sharma, Adv.

State of Bihar Mr. BB Singh, Adv.
Mr. Kumar Rajesh Singh, Adv.

State of Manipur Mr. KH Nobin Singh, Adv.

State of Meghalaya Mr. Ranjan Mukherjee, Adv.

State of HP Mr. Naresh K Sharma, Adv.

State of Pondicherry Mr. VG Pragasam, Adv. (NP)

State of Maharashtra Mr. SV Deshpande, Adv.

UT Chandigarh Ms. Kamini Jaiswal, Adv.
Ms. Aishwarya Rao, Adv.

Andaman, Lakshadweep Mr. Ashok Bhan, Adv.
Dadar Nagar Haveli Ms. Sunita Sharma, Adv. for
Daman and Diu, & Delhi Mr. DS Mehra, Adv.

State of Chhattisgarh Mr. Prakash Shrivastava, Adv..
Ms. Madhur Dadlani, Adv.

State of Jharkhand Mr. Ashok Mathur, Adv.
Mr. Rajesh Pathak, Adv.

For M/s WIPRO Mr. Bhargava V Desai, Adv.
Mr. Sanjeev Kr. Singh, Adv.

...3/-

For Intervenor Mr. PK Roy, Sr. Adv.

Mr. GS Chatterjee, Adv.
Mr. Pramit K Roy, Adv.
Mr. Feroze Ahmed, Adv.

Mr. Jay Savla, Adv.
Ms. Reena Bagga, Adv.

IA No.15

Mr. BB Sawhney, Adv.
Mrs. Indra Sawhney, Adv.

UPON hearing counsel the Court made the following
O R D E R

L.....I.....T.....T.....T.....T.....T.....T.....T.....J
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Heard the learned counsel for the parties.

Learned counsel for the petitioner has drawn out attention to the affidavits of the States/ Union Territories and pointed out that number of States have not complied with the directions issued by this Court on 29th January, 2002. Comparative chart for the aforesaid purpose is produced for our perusal. that chart reveals that necessary action is not taken against the persons who are having ultra sound machines despite the fact that they are not registered/ licenced one. Relevant chart is as under:

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S.No.	Name of the State/ UT	Survey conducted by the authorities	Information supplied by the manufacturing Companies for the sale of ultra sound machines	Registered Clinics
1.	Bihar	297	345	226
2.	Delhi	777	420	525
3.	Gujarat	750	813	484
4.	Kerala	562	756	496
5.	Jharkhand	No figure	123	81
6.	Orissa	No figure	210	--
7.	Uttar Pradesh	1096	945	625
8.	Pondicherry	37	3	27
9.	West Bengal	No figure	462	257

...4/-

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Still however, time to comply with the order is granted upto 9th April, 2002 on which date the concerned Health Secretary/Family Welfare-Health Secretary of the aforesaid States/UT shall remain personally present.

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(D.L. Chugh)
Court Master

(K.K. Chadha)
Court Master