

ITEM NO.301 Court 5 (Video Conferencing) SECTION PIL-W

Revised
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SMW (C) No.3/2021

IN RE : DISTRIBUTION OF ESSENTIAL SUPPLIES AND
SERVICES DURING PANDEMIC

(WITH IA No. 58598/2021 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 57404/2021 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 58531/2021 - CLARIFICATION/DIRECTION, IA No. 57405/2021 - EARLY HEARING APPLICATION, IA No. 58424/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 58533/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 57400/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 58529/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 57607/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 57396/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 58512/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 57602/2021 - INTERVENTION APPLICATION, IA No. 58509/2021 - INTERVENTION APPLICATION, IA No. 58597/2021 - INTERVENTION APPLICATION, IA No. 58423/2021 - INTERVENTION APPLICATION, IA No. 57403/2021 - INTERVENTION APPLICATION, IA No. 58411/2021 - INTERVENTION APPLICATION, IA No. 58399/2021 - INTERVENTION APPLICATION, IA No. 57399/2021 - INTERVENTION APPLICATION, IA No. 58527/2021 - INTERVENTION APPLICATION, IA No. 57395/2021 - INTERVENTION/IMPLEADMENT, IA No. 58585/2021 - INTERVENTION/IMPLEADMENT, IA No. 58511/2021 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 57406/2021 - PERMISSION TO APPEAR AND ARGUE IN PERSON, IA No. 57605/2021 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

Date : 30-04-2021 This matter was called on for hearing today.

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HON'BLE MR. JUSTICE S. RAVINDRA BHAT

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 Mr. Surya Prakash, Adv.
 For M/S KMNP LAW AOR

Mr. Viplav Sharma, in-person

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

- 1 In terms of the signed reportable order, we pass the following directions:
- (i) The UOI shall ensure, in terms of the assurance of the Solicitor General, that the deficit in the supply of oxygen to the GNCTD is rectified within 2 days from the date of the hearing, that is, on or before the midnight of 3 May 2021;

- (ii) The Central Government shall, in collaboration with the States, prepare a buffer stock of oxygen for emergency purposes and decentralize the location of the emergency stocks. The emergency stocks shall be created within the next four days and is to be replenished on a day to day basis, in addition to the existing allocation of oxygen supply to the States;
- (iii) The Central Government and State Governments shall notify all Chief Secretaries/Directors General of Police/Commissioners of Police that any clampdown on information on social media or harassment caused to individuals seeking/delivering help on any platform will attract a coercive exercise of jurisdiction by this Court. The Registrar (Judicial) is also directed to place a copy of this order before all District Magistrates in the country;
- (iv) The Central Government shall, within two weeks, formulate a national policy on admissions to hospitals which shall be followed by all State Governments. Till the formulation of such a policy by the Central Government, no patient shall be denied hospitalization or essential drugs in any State/UT for lack of local residential proof of that State/UT or even in the absence of identity proof;
- (v) The Central Government shall revisit its initiatives and protocols, including on the availability of oxygen, availability and pricing of vaccines, availability of essential drugs at affordable prices and respond on all the other issues highlighted in this order before the next date of the hearing, that is, 10 May 2021. Copies of all affidavits to be served upon the Amici in advance; and
- (vi) Several other suggestions have been made before this Court in IAs and writ petitions filed by diverse parties. In order to streamline the further course of hearing, we have requested the Amici to collate and compile these suggestions which would be taken up later. The present order has focused on certain critical issues in view of the urgency of the situation.

- 2 List the petition on 10 May 2021.

(SANJAY KUMAR-I)

AR-CUM-PS

(Signed Reportable Order is placed on the file)

(SAROJ KUMARI GAUR)

COURT MASTER

ITEM NO.301

Court 5 (Video Conferencing)

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 Ms. Kusum, Adv.
 Mr. R. N. Keswani, AOR

Mr. J. Sai Deepak, Adv.
 Mr. Guruswamy Nataraj, Adv.
 Mr. V. Shyamohan, Adv.
 Mr. Surya Prakash, Adv.
 For M/S KMNP LAW AOR

Mr. Viplav Sharma, in-person

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

1 Order reserved.

**(SANJAY KUMAR-I)
 AR-CUM-PS**

**(SAROJ KUMARI GAUR)
 COURT MASTER**