

ITEM NO.14

COURT NO.8

SECTION PIL (W)

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 SWrit Petition(s) (Civil) No(s). 767/2014

PANKAJ SINHA

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS

Respondent(s)

(With office report)

Date : 01/09/2014 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE VIKRAMAJIT SENFor Petitioner(s) Mr. Colin Gonsalves, Sr. Adv.
Ms. Jubli Momalia, Adv.
Ms. Jyoti Mendiratta, Adv.
Mr. Satya Mitra, Adv.

For Respondent(s)

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

Heard Mr. Colin Gonsalves, learned senior counsel for the petitioner.

In support of the petition preferred under Article 32 of the Constitution of India, it is submitted by Mr. Gonsalves that despite the human civilization has advanced in advancement made in the field of medicine and in spite of civilisation having reached the pinnacle of scientific research, an effective cure, namely, Multi-Drug Therapy (MDT) which has been available since 1981 that can completely cure 99% of leprosy bacteria, due to apathy of the Government of India and the State Governments, people are still suffering from the said disease, which is treated as a social stigma.

It is urged by him, had people been made aware by the competent authorities of the Central Government and the State Governments, millions of people who are suffering from leprosy would have been cured and come to the mainstream of life and would not have been ostracized from the society. Learned senior counsel would contend that because of non-concern, the leprosy affects more than one lakhs twenty five thousand persons yearly throughout the country, which is completely avoidable.

It is averred in the petition that they are not allowed to have education, sanitary benefits, community based rehabilitation as a result of which they are driven to streets and eventually turn to begging or compelled to live in so-called leprosy homes where they are treated as unpersons or aliens.

In the writ petition, number of prayers have been made which pertains to issuance of directions for availability of the drugs at primary health centres and proper administration of the same for treatment of the pregnant women suffering from leprosy in an apposite manner with dignity, and making provision in educational institutions whether government or private, so that discrimination against the children of the leprosy affected families due to some kind of inhibition which has no constitutional sanction, is stopped and for providing banking facilities and establishment of such colonies where they can live for temporary period till they are cured and come to the society, etc.

Issue notice, returnable within four weeks.

Dasti, in addition, is permitted.

Learned counsel for the petitioner is at liberty to serve a copy of the petition on the Standing Counsel for the States. A copy of the petition be served on the learned Attorney General.

(NAVEEN KUMAR)
COURT MASTER

(RENUKA SADANA)
COURT MASTER