
(1997) 07 PAT CK 0049
In the Patna High Court
Case No : C.W.J.C. No. 6192 of 1997

Shyam Kishore Sharma

APPELLANT

Vs

State of Bihar and Others

RESPONDENT

Date of Decision : 23-07-1997

Acts Referred:

Citation : (1997) 2 PLJR 316

Hon'ble Judges : B.M. Lal, C.J;B.N. Agrawal, J

Bench : Division Bench

Advocate : I.K. Sharan and S.K. Sharma, for the Appellant; Ganga Prasad Roy, for the Respondent

Judgement

1. Shri Raj Kumar Singh, Divisional Commissioner, Patna, today had made statements on oath as to the steps taken by the various Departments in pursuance of the orders passed by this Court on various dates. However, on behalf of the Petitioner, it is submitted that though steps have been taken but not so effectively with the result there is slow progress going on for removal of accumulated water from the locality. Besides, it is submitted that other measures to prevent water diseases have not been taken and even the direction of this Court in respect of sprinkling of bleaching powder and Gamaxin powder has not been carried out. No step has been taken for cleaning and removing the garbage from the locality. The Administrator of the Corporation appeared in person and made statement that since last two months salary to the Corporation employees has not been paid. This statement fortified the submissions made by the Petitioner that sites have not been cleaned and garbages have not been removed. However, considering the exigency of the circumstances, we direct that a Committee be formed headed by the Divisional Commissioner, Patna, namely, Shri Raj Kumar Singh and he shall be assisted by Shri Ganga Prasad Roy, Additional Advocate General No. 3 and Shri I.K. Sharan, Senior Advocate of the Court as its members. We further direct that the Committee has to carry out the following directions of this Court expeditiously to discharge obligatory civil

amenities and shall report to this Court about the progress made by it by the next date of hearing:

(1) The State Government, its instrumentalities, Officers and all concerned are directed to co-operate the Committee in carrying-out the directions contained in this order and under take the works assigned to them in right earnest so that this Court may not be compelled to take any harsh action against them.

(2) Shri I.K. Sharan should constitute teams of lawyers to visit affected areas and report to him with regard to compliance of the directions of this Court contained in this order.

(3) The work of pumping out rain water shall continue so long accumulation of water is not removed from the roads and ditches in the town of Patna.

(4) Sufficient number of boats be provided for the residents of Kankarbagh area.

(5) Existing garbage shall be immediately removed from the town of Patna in general and affected areas in particular. Regularly there shall be removal of garbage from the town. Underground drainage and sewerage shall be temporarily cleaned manually.

(6) P.M.C. should set up special task force by requisitioning country boats and trucks specially for lifting dead bodies of animals and heaps of garbage floating on accumulated water.

(7) Bleaching and Gamaxin Powder should be sprinkled on the roads and both sides flanks immediately after water logging in the concerned area is removed and the same be distributed to the residents for its use in their compound and court-yard.

(8) Fogging machine shall be used in affected areas.

(9) There shall be uninterrupted supply of water in all affected areas.

(10) Electricity shall be supplied uninterruptedly for operating pumps in Pahari and other areas of the town for pumping out rain water.

(11) There shall be uninterrupted supply of electricity for maintenance of essential services.

(12) Supply of electricity shall be uninterrupted in the area where there is still water logging.

(13) In P.M.C.H., N.M.C.H. other Government Hospitals and all Government Dispensaries in the town, free medicine and food shall be supplied to the patients who are affected by rain water.

(14) Services of Senior Doctors, Junior Doctors, Housemen, Interns, Nurses and other medical staff shall be requisitioned to deal with the situation for providing medical help in P.M.C.H., N.M.C.H., other Government hospitals and Dispensaries

in the town of Patna.

(15) Boats/Mobile vehicles with adequate free medical facilities and one qualified doctor on each, out of which one should be a lady doctor, shall be made available in Kankarbagh and other areas. Drinking water in plastic cans should be available on the boats for supply to the residents in need.

(16) Chlorine tablets should be supplied to each family to disinfect water for drinking purposes.

(17) Authorities shall take all possible steps in respect of inoculation measures so as to prevent water-borne disease like Cholera, Gastroenteritis and Hepatitis etc.

(18) Immediate patrolling by the police on boats should start in the water logged areas.

(19) Food packets shall be supplied to poor masses and down trodden who are affected by rain water.

(20) Steps be taken by the instrumentalities of Central Government and TISCO for repair of pumps supplied by them to the State Government for draining out rain water.

Let this matter be listed on Monday next (28.7.97).

2. A copy of this order shall be made available to the learned Additional Advocate General No. 3 and to the Petitioner free of cost.