

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13403 of 2015

Bipin Bihari Pradhan

....

Petitioner

Mr. B.K.Ragada, Advocate,
Mr. G.Mishra, Sr. Advocate(Amicus Curiae),
Mrs. Pami Rath, Advocate(Amicus Curiae),
Mr. B.P.Tripathy, Advocate(Amicus Curiae)

-versus-

State of Odisha & Others

....

Opp.Party

Mr.A.K. Parija, A.G.
Mr. P.K.Muduli, AGA

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAIK**

**ORDER
23.02.2022**

Order No.

27.

1. There appears to be some mistake in uploading the order passed by this Court on 30th November, 2021. The order which has been uploaded and now available on the web site does not somehow contain three paragraphs of the order. The said order dated 30th November 2021 available on the website is therefore, directed to be taken down and substituted with the correct copy of the said order which is available in the file. This direction shall be complied with immediately.

2. The Court has perused the affidavit dated 3rd January, 2022 of the Additional Chief Secretary, Health Department who is also present in virtual mode today.

3. The Note of the Amicus Curiae on the follow up visit to the Lewis Leprosy Colony, Balasore has also been perused.

4. The three Amicus Curiae have also placed before the Court copy of resolution dated 23rd February, 2021 published in the Orissa Gazette of 2nd March, 2021 issued by the Department of Social Security & Empowerment of Persons with Disabilities (DSSEPWD), Government of Orissa which is titled 'An umbrella scheme for Rehabilitation of Cured Leprosy Persons'. It set out many objectives and lists out the programme components in some detail. The submissions of the Amicus Curiae is that this resolution has not been implemented in any of the Colonies they have visited i.e. the Dharabani Leprosy Colony, the Bapuji Leprosy Colony and the Sanjayjee colony in the District Puri and the Lewis Colony, Baripada. In addition the Amicus Curiae have referred to the list of Leprosy Colonies in Orissa which is at Annexure-H to the affidavit dated 3rd January, 2022 of the Additional Chief Secretary, Health. They have suggested that the Colonies at Jamunda, Katapali, Bargaon in the Bargarh district, at Gandhi Pali, P.O., at Nayabazar, Cuttack, at Neheur Pali, at P.O., Nayabazar, Cuttack, the Gandhi Nagar Colony, J.K.Road, Jajpur, the Indra Ashram Kulemura, Beheramal, Jharsuguda district, Saraswati Colony, Baripada, Mayurbhanj, the Durgapur-B, Colony at Malgodam, Rourkela, the one at Ramakrushnapalli, Kharvel Nagar, Unit-III, Bhubaneswar and the Jaganath Leprosy Colony, Mancheswar at Bhubaneswar should be taken up in the first phase for implementation of the aforementioned resolution.

5. The above suggestion is acceptable to the Additional Chief Secretary, Health who participated in the virtual hearing. It is accordingly, directed that:

(i) The Technical Committee will instruct its Sub-Committees or any other personnel authorized by it to immediately undertake, in next 10 days, visits to the aforementioned nine Colonies in addition to the three colonies mentioned in the Para-1 of the order dated 30th November, 2021 and prepare reports of the present condition of those Colonies.

(ii) The Resolution dated 23rd February, 2021 will be implemented in the aforementioned 12 Colonies in the next 12 weeks. A follow-up visit will be undertaken by the same sub-Committees/personnel in the week beginning 9th May, 2022 to ascertain the status of the implementation of the said Resolution in the aforementioned Colonies.

(iii) The sub-Committees/personnel will, during the visits, interact with the inmates of the Colonies to ascertain what kind of rehabilitation measures would be best suited for them.

(iv) A further report of such follow-up visit will be prepared and placed for consideration of the larger Technical Committee at least one week prior to the next date of hearing of this case.

(v) While implementing the above Resolution the guidelines on the 'BHIMA BHOI BHINNAKSHYAMA SAMARTHYA ABHIYAN' (BBSA) as revised on 1st April, 2018 issued by the Government and the guidelines 'Sahaya' issued by the DSSEPWD should be kept in view.

6. A report has been submitted by the AC on the current status of the Sanjayjee Leprosy Colony in Puri as well as the Jibaramji Palli Leprosy Colony, Puri. One of the issues raised is that presently Sanjayjee Leprosy Colony is situated over a Railway property. The inmates there have been asking to be shifted to a vacant land next to the Jibaramji Palli Leprosy Colony, Puri (near the Lokanath Temple). It is stated that the R.O.R. of the said land stands in the name of the Hindukush Nibaran Sangha (HKNS). The Collector, Puri who participated in today's hearing in virtual mode has agreed to undertake a fact check of the current position and see if the inmates Sanjayjee Leprosy Colony can be rehabilitated in the facility to be constructed on the said vacant land. An affidavit be filed by the Collector, Puri on this aspect by the next date.

7. List on 18th May, 2022 at 2.00 P.M.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge