

IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 185/2007

TB FREE INDIA FOUNDATION REGD. Petitioner
Through Dr.Sarabjit Chadha, Adv.

versus

UOI and ORS. Respondent
Through Mr.Dalip Mehra, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SANJIV KHANNA

O R D E R

31.10.2007

1. Having heard the learned counsel for the parties and gone through the records, we are of the considered opinion that the issues raised need consideration at an appropriate level. Contentions raised are in respect of various angles and medical procedures to control Tuberculosis (TB), which is affecting a large number of people all over India. The problem is prevalent in rural India and even as per affidavit of the respondent, two persons die of TB every 3 minutes in India.
2. Government has taken some decisions to control the said disease by taking steps to fight the menace. The Central Government has established a 'Central TB Division' with State Tuberculosis Control at the State level etc. Central TB division assists, helps and guides the State Tuberculosis Control Society, which is a State level organization.
3. There are also District Tuberculosis Control Societies, who are providing help and overseeing the working and performance of the primary Health Care Centres.
One of the contentions raised is requirement to have extra facilities, if possible, at the Primary Health Centre Level and assistance of a tuberculosis expert, at least at the District Health Centre level. There are certain suggestions, which are given by the petitioner who is present in Court. We feel that the suggestions including the aforesaid two suggestions, which we have mentioned above, should receive attention at the

appropriate level and can be examined by person who formulate the policy for steps for eradication/control TB.

4. Considering the importance of the contentions raised herein, we constitute a Committee of the Additional Secretary, Ministry of Health as a Nodal Officer.

The committee will consist of Deputy Director General of Central Tuberculosis Division and Dr. Pramod Saxena, Chief Medical Officer of the Central Tuberculosis Division State Level along with the Head of the Department Medicine, AIIMS, New Delhi and Dr. Behra, Director of LRS Institute, Mehrauli. This five Member Committee will be chaired by the Additional Secretary, as a Nodal Officer. The petitioner would circulate his views and suggestions within three days from today to the Nodal Officer, who shall forward the same to other members of the Committee. The aforesaid Committee Members shall go through his suggestions and recommendations and would also hear the petitioner who will appear before the Committee on a date to be fixed before the Committee. They shall discuss the suggestions of the petitioner and if found suitable, the suggestions should be implemented as early as possible.

5. Report in that regard shall be submitted by the Committee to this Court. Eight weeks' time for filing the said report is granted. The report will indicate whether and how any of the suggestions can be implemented.

6. It shall be also open to the petitioner to submit additional suggestions before the Committee for improvement and steps to fight the disease, apart from the suggestions made in the writ petition.

Renotify on 30th January, 2008.

Copy of this order be given dasti to the learned counsel appearing for the parties.

CHIEF JUSTICE

SANJIV KHANNA, J
OCTOBER 31, 2007
RN/VKR