

SECTION PIL (WRIT)

MATTER FOR : 22.08.2024

COURT NO. : 1

ITEM NO. : 1

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

SUO MOTU WRIT PETITION (CRIMINAL) NO. 2 OF 2024

(Under Article 32 of the Constitution of India)

WITH

INTERLOCUTORY APPLICATIONS NO. 185574, 185498 OF 2024

(Application for Intervention)

WITH

**INTERLOCUTORY APPLICATION DIARY Nos. 185169, 185161, 185545, 185565 and
185851 OF 2024**

(Application for Intervention)

**In Re: Alleged Rape And Murder Incident of A Trainee Doctor In R.G.
Kar Medical College And Hospital, Kolkata And Related Issues**

OFFICE REPORT

The Suo Moto Writ Petition was listed before the Hon'ble Court on 20.08.2024, when the Court was pleased to pass, inter alia, the following order:

"1 In terms of the reportable order, the Central Bureau of Investigation shall submit a status report to this Court by 22 August 2024 on the progress in the investigation of the crime at RG Kar Medical College Hospital. The State of West Bengal shall also file a status report by 22 August 2024 on the progress of the investigation on the acts of vandalism which took place at the Hospital in the aftermath of the incident.

2 We expect that the Government of West Bengal shall observe necessary restraint in the face of peaceful protests conducted by any quarter of civil society bearing on the issue which forms the subject matter of the incident which took place at Kolkata. It shall be ensured that the power of the State is not unleashed on peaceful protesters.

3 This Court is seized of matters relating to the safety and well-being of all medical professionals at their work places. We would request all the doctors who are abstaining from work across the country to resume work at the earliest. The abstention of doctors from work affects those segments of society who need medical care particularly at public health facilities the most. The abstaining doctors and medical professionals may stand assured that their concerns are receiving the highest concern from the Supreme Court of India. This is an issue of high national priority. Their concerns are being set forth before this Court by diverse range of counsel on both sides.

4 On the midnight of 15 August 2024, when acts of vandalism of the premises of R G Kar Medical College and Hospital took place, a mob of persons is alleged to have systematically attacked male and female doctors, emergency hospital staff and hostels.

5 Ms Aparajita Singh, senior counsel appearing on behalf of an

organization of doctors from West Bengal, has placed on the record a copy of an email addressed on 19 August 2024 by a senior resident at the R G Kar Medical College and Hospital setting out the details of the incident which took place.

6 The Court has been apprised of the fact that there were approximately 700 resident doctors at the R G Kar Medical College and Hospital. Following the incident which took place between 14 and 15 August 2024, most of the resident doctors have left their places of duty in fact, as a consequence of which only about 30 to 40 female doctors and 60 to 70 male doctors have remained in the hostels.

7 It is essential to create safe conditions for the interns, residents and senior residents to return to their duties so as to enable them to not only pursue their education, but to administer medical care to their patients. The Court has been assured by Mr Tushar Mehta, Solicitor General, that the Central Industrial Security Force/Central Reserve Police Force shall be deputed in sufficient numbers at the R G Kar Medical College, including the hostels where the resident doctors are staying to ensure their safety.

8 Mr Kapil Sibal, senior counsel appearing on behalf of the State of West Bengal, states that there is no objection to the above course of action being adopted so as to bring security within the precincts of the Hospital.

9 With the provision of central security at the Hospital, we hope and trust that the doctors will resume duty at the earliest. Any concerns which they may have in regard to their safety may be placed in the form of an email jointly by the doctors to the Registrar (Judicial) of this Court for further directions.

10 List the proceedings on 22 August 2024 on the top of the board."

It is submitted that copy of order dated 20.08.2024 has been sent to Central Bureau Of Investigation and State of West Bengal through e-mail on 20.08.2024 and as well as certified copy of the order dated 20.08.2024 was sent to Central Bureau Of Investigation through Special Messenger on 21.08.2024

It is next submitted that the following Vakalatnama has been filed, so far:

S. No.	Filed by	Date	On behalf of
1	Abhimanyu Tewari	21.08.2024	State of Arunachal Pradesh
2	Astha Sharma	21.08.2024	State of West Bengal

It is further submitted that the following Interlocutory Applications have been filed and are being circulated before the Hon'ble Court for kind perusal:

S. No.	I.A. Nos.(Relief)	Filed Adv./PIP By	Filed On	On Behalf of Applicant	Status
1	<u>I.A. D. No. 185169/2024</u> (Intervention Application)	Shekhar Kumar, Adv.	21.08.2024	Applicant(Arunima Paul and Promila Roy)	Defective (Non-filing of translation of vernacular document(s), Pages are not clear/legible/small font/dim/missing.
2	<u>I.A. D. No. 185161/2024</u> (Intervention Application)	Abhigya Kushwah, Adv.	21.08.2024	Applicant (Kumari Nidhi Tripathi)	Defective(Affidavit not properly executed,)
3	<u>I.A. No. 185574/2024</u> (Intervention Application)	Anirudh Sanganeria, Adv.	21.08.2024	Applicant(People's Union For Civil Liberties, West Bengal)	Registered
4	<u>I.A No. 185498/2024</u> (Intervention Application)	Vishal Arun Mishra, Adv.	21.08.2024	Applicant(Vijay Kumar Singhal)	Registered
5	<u>I.A. D. No. 185545/2024</u> (Intervention Application)	Sneha Kalita, Adv.	21.08.2024	Applicant (Delhi Medical Association)	Defective(Prayer is not correct, there is no stamp of DMA on V/A and V/A not signed,)
6	<u>I.A. D. No. 185565/2024</u> (Intervention Application)	Mohini Priya, Adv.	21.08.2024	Applicant (Federation of the associations of Medical Consultants of India)	Defective(Affidavit not properly executed, Para No. Incorrect/ numbering of paragraphs at page 15)
7	<u>I.A. D. No. 185851/2024</u> (Intervention Application)	Thomas Oommen, Adv.	21.08.2024	Applicant (Federation of Resident Doctors Association)	Defective(Address of Applicant has not been furnished)

It is lastly submitted that no further document has been filed, so far.

The Suo Moto Writ Petition alongwith Interlocutory Applications above-mentioned is listed before the Hon'ble Court with this Office Report for orders.

Dated this the 21st day of August, 2024.

sd/-

Assistant Registrar