

**BEFORE
HON'BLE THE CHIEF JUSTICE MR. T. VAIPHEI
HON'BLE MR. JUSTICE S. TALAPATRA**

Present:

For the petitioner : Mr. M. Debbarma, Advocate.
For the respondents : Mr. T.D. Majumder, G.A.,
Mr. Biswanath Majumder, CGC.

13.06.2017.

Heard Mr. M. Debbarma, the learned counsel for the petitioner. Also heard Mr. T.D. Majumder, the learned Govt. Advocate appearing for the State-respondents.

This PIL is about directing the respondents to implement the Janani-Shishu Suraksha Karyakram (JSSK) in letter and spirit and to completely put an end to user fees for pregnant women delivering in public health facilities of Tripura.

The learned State Counsel draws our attention to the memorandum dated 28.12.2016 annexed to the additional affidavit filed on 12.06.2017 and submits that the Clause therein which says that in no case there should be any need for mother to pay the driver and reimbursed later on; money is to be given to the driver by Health facility directly by cheque. According to him, those provisions have now taken care of the grievances of the petitioner. It may also be noted that under Clause 2.2 of the same memorandum, it has been stated as follows:-

“2.2 Drugs and Consumables:

- All required drugs and consumables for pregnant mother during ANC, INC and PNC are already included in State Essential Drug List (EDL) and made available completely free. In addition, unit cost of Rs.500/- for normal delivery and Rs.1600/- for C-Section delivery as per

estimated no. of ANC cases and Rs.200/- in case of sick infants is by and large provisioned to supplement incidental requirement only. It is an indicative allocation for calculation purpose.

- Only in exceptional case concerned Health facility may locally procure certain JSSK drugs and consumables from the above allotted funds as per procedure. In no case mothers or sick infants shall be allowed to procure the drugs and consumables and later be reimbursed.
- In case of local purchase to meet incidental requirement of drugs & consumables, the same have to be uploaded into the SCMS portal.”

In the light of these two developments, this PIL does not survive for consideration and is accordingly disposed of by directing the State-respondents to implement in letter and spirit the aforesaid Clauses in the memorandum dated 28.12.2016.

JUDGE

CHIEF JUSTICE

Pulak