

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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**CWP No.24114 of 2014 (O&M)
DATE OF DECISION:26.03.2018**

Hemophilia Advocacy Society and another

... Petitioners

Versus

State of Punjab and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. Veena Kumari, Advocate
for the petitioners.

Mr. Shireesh Gupta, Senior Deputy Advocate General, Punjab.

ANUPINDER SINGH GREWAL, J.

1. In the instant writ petition which has been filed in public interest, the petitioners have sought review/modification of the policy dated 22.11.2012 (Annexure P-5) framed by the State of Punjab for treatment of Hemophilia.

2. The petitioner organizations are stated to be working in the field of public health in general to promote and render medical care to patients suffering from Hemophilia. They are also stated to have been promoting awareness about the disorder amongst the masses and organize treatment including providing life saving medicines to the needy.

3. It is contended by the learned counsel for the petitioners that State of Haryana had revised the policy for treatment of Hemophilia to make it more responsive to the needs of the patients. It is also stated that

the Chandigarh Administration vide the notification dated 19.01.2016 had also formulated such a policy but the State of Punjab had not done so.

4. Learned counsel for the State has filed an affidavit of Additional Secretary Health, Punjab wherein it is stated that the new policy has been formulated by the Government of Punjab for Hemophilia patients and a notification in this regard has been issued on 17.01.2018. The extract of the notification dated 17.01.2018 is reproduced herein:-

“The Governor of Punjab is pleased to notify the policy for the treatment of Hemophilia patients in the State of Punjab:-

1. Designation of Specialized Treatment Centers for Hemophilia:
Since all the District Hospitals are not equipped to deal with the severe bleeds, routine complications and surgical interventions as the availability of a Panel of Specialists, comprising Physiotherapist; Pathologist, Physician, Paediatrician, Ortho-Surgeon, Gynaecologist, and Anesthesiologists is essential required. Therefore, Three Government Medical Colleges namely Govt. Medical College Amritsar, Patiala, and Guru Gobind Singh Medical College, Faridkot shall be strengthened in phase-1 as well as District Hospitals in Phase-2 for Hemophilia care.
2. Punjab and Health Systems Corporation shall do rate contract for procurement of factors and will inform rate contract to the concerned institutions for procurement of factors by strictly adherence to rate contract in accordance with their demand.
3. Integrated Day Care Center shall be established in all District Hospital to take care of Hemophilia patients to make it convenient for the patients. At least 2 Medical practitioners (physician/paediatrician) shall be designated in each of these areas to maintain continuity of care.
4. Doctors, Medical Lab Technicians and ASHA Workers shall be trained.
5. The facility of provision of Anti Hemophilia Factor (AHF) will be provided free of cost to the patients of Hemophilia who are residents of Punjab on the production of residency proof life Voter Card, Aadhar Card, Driving License/Electricity bill etc.

6. The budget provision will be made keeping in view the number of patients and such budget would either be got approved from Govt. of India or will be provided from State Budget, if available.

7. Any Pvt. Institution of Punjab, interested in providing free management of Hemophilia Care will sign a MOU with Govt. of Punjab provided the institution shall fulfill the criteria laid down by the Govt. of Punjab. AHF shall be provided free of cost to the concerned institution.”

5. Therefore, as the State of Punjab has notified the Policy for treatment of Hemophilia patients which provides for inter alia free treatment to the patients who are residents of Punjab as well as setting up Integrated Day Care Centre in all District Hospitals, we are of the considered view that the grievance of the petitioners has been redressed to a considerable extent. Consequently, no further directions are called for at our end.

6. However, it shall be open to the petitioners to bring to notice of the respondents if there is any laxity in the implementation of the Policy and in the event of inaction on the part of the respondents, the petitioners shall be at liberty to approach this Court.

7. The petition stands disposed of accordingly.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

March 26, 2018

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Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No