

HIGH COURT of CHHATTISGARH, BILASPUR

Judgment reserved on 16.12.2019

Judgment pronounced on 27.02.2020

WPIL No. 125 of 2017

- Devashish Tiwari Main Road, Balodabazar, Chhattisgarh 493332

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Versus

1. State of Chhattisgarh Through Secretary, Department of Health And Family Welfare, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
2. Secretary, Department of Public Health Engineering, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh
3. Chhattisgarh Paryavaran Sanrakshan Mandal, Through Chairman, Kabir Nagar, Raipur, Chhattisgarh
4. Union of India, Through Secretary, Public Health And Family Welfare Department, New Delhi
5. The Chhattisgarh State Power Distribution Company Limited Through The Chairman, Dagniya, Raipur, Chhattisgarh
6. Chhattisgarh State Legal Services Authority Through Member Secretary, Vidhik Seva Marg, Bilaspur, Chhattisgarh

-----Respondents

For Petitioner	: Shri Sunil Otwani, Advocate appears as <i>amicus-curiae</i>
For Respondents/State	: Shri Siddharth Dubey, Deputy Government Advocate
For Respondent-3	: Shri Sudhir Bajpai, Advocate

**Hon'ble Shri PR Ramachandra Menon, Chief Justice &
Hon'ble Shri Justice Parth Prateem Sahu**
CAV Order

Per Parth Prateem Sahu, J.

1. On receipt of a letter being sent by one Devashish Tiwari, Baloda Bazar, resident of Baloda Bazar, District Baloda Bazar -Bhatapara (Petitioner), addressed to Hon'ble the Chief Justice, High Court of Chhattisgarh, President, District Legal Services Authority, Raipur was

directed to submit a report in the context of situation that has been projected in the said letter supported by the Newspaper cuttings.

2. The President, District Legal Services authority and District and Sessions Judge, Raipur submitted report along with statement of some of the residents of village Supebeda, District Gariyaband mentioning that villagers/ residents of village Supebeda and nearby villages are suffering from Renal diseases due to use of underground water which contains heavy metals like Nickel, Chromium, Copper, Lead, Zink; the report also contains that village Supebeda is situated in a rural area having distance of about more than 245 kilometres from Raipur, ie the State Head Quarter. The suffering of residents of Supebeda and other nearby locality with Renal disease (Kidney ailment) is only due to non-availability of potable water and lack of proper medical facilities for treatment of such critical diseases.

3. On the basis of report received from District Legal Service Authority, Raipur, this PIL was registered in which State of Chhattisgarh, Secretary, Public Health and Engineering, Chhattisgarh Paryaran Samrakshan Mandal, Chhattisgarh State Power Distribution Company Limited and the State Legal Aid Service Authority have been arrayed as party respondents in the petition. Shri Sunil Otwani, learned Member of Bar was requested to assist the Court as Amicus Curiae.

4. The respondent State submitted reply in which it has been admitted that on taking blood samples of the local residents, it was detected that Urea and Creatinine are found to be in excess ratio than normal and

immediate treatment was provided to all those persons. Doctors prescribed Vitamin-C, Calcium and Iron for the villagers of Supebeda, Sendhamuda, Sagonbadi, Parevapali, Nishthiguda and Khoksara (affected villages). It was also pleaded that, looking to seriousness and life threatening situation of these affected villages, State Government decided to arrange health camps on 12.06.2017 with a team of doctors consisting of specialists in Medicine, Pathology, Radiology, Dentistry, Orthopaedic, Paediatrics, Microbiology and Nefrology. During the course of health check up at these camps, sonography, X-ray, blood test and ECG test were done and found that number of persons were having Creatinine and Urea excess in their blood, exceeding the permissible limits; Fluoride in their urine samples were tested and found the symptoms of Fluorosis. On the test of Radiology, it was found that many patients were suffering from change in size of kidney, which also indicates Renal ailment/disease. It is pleaded that looking to the alarming conditions of these villagers, day to day health care service is being provided by the Assistant Medical Officers, Pharmacists and Rural Health Officers. Door-to-door survey was done. Health camps were organised at Supebeda and other nearby villages like Thirliguda, Nishtiguda, Sagonbadi and Parevapali and recommended for some action plans like—

- a) Continuous supervision by departmental workers;
- b) To organise special dietary consultation meetings by dieticians for change in life-style of affected people;
- c) Free mobile service for the treatment of patients; and
- d) A proposal has been made for setting up a Sub- health centre in the village itself.

5. It is further pleaded that there are 288 drinking water sources in village Supebeda and nearby villages, out of which 222 drinking water sources belong to the Government and 66 belong to private persons. All the sources have been tested by the District Water Testing Laboratory, Gariyaband, and found that in 39 water sources, the contents of fluoride was beyond the standard limit. In three hand pumps where fluoride content found in excess than permissible limit, Solar based fluoride removal plants were sanctioned for which an amount of Rs.44.01 lakhs was sanctioned by the concerned department.

6. The State Government looking to the situation, requested Indian Council of Medical Research (ICMR) to investigate into the issue and also to suggest remedial measures. ICMR team constituted by Dr Tapas Chakona, Scientist 'G', Dr Suyash Shrivastav 'B' investigated and made certain preliminary observations. It was also pointed out that out of 16 drinking water sources, tested by them six samples were contaminated with high fluoride and in 15 samples, it was found having 'Arsenic' beyond the permissible limit. The ICMR on the basis of clinical observations, found the cause can be due to chronic exposure of high Fluoride mix with Arsenic, aggravated with micro nutrient deficiency.

7. Under the Nal Jal Scheme implemented in the village Supebeda, villagers are receiving drinking water directly by 25 stand posts and 5 cisterns having capacity of 2000 litres through boring. The water from the bore-wells is being supplied from village Nishtiguda for which 19.85 lakhs was sanctioned by the concerned department under Nal Jal Scheme. The construction establishment of Solar based power plants are under process

and the pipelines for water supply laid down earlier were also damaged for which certain amount was also exhausted.

8. In reply, State submitted that patients are found to have higher incidence of NSAID (Non-steroidal anti-inflammatory drugs) (pain killers) through unauthorised practitioners, use of indigenous medicines. Malaria with delayed treatment or incomplete treatment may be one of the factors, use of higher instance of Alcohol, smoking and tobacco which are also some of the causes for contributing Renal diseases.

9. The Chhattisgarh State Power Distribution Company Limited in its report stated that for proper supply of electricity, they have initiated process of establishment of Sub-stations for redressal of low voltage. They have taken steps for upgrading the transformers installed on the location and also initiated installation of stepping up of voltage transformers. They have placed order for modifying 100 KVA and 63 KVA transformers to stabilize and upgrade voltage fluctuations. They received the aforementioned transformers, installed and made them operational on 09.04.2018. It was also certified by the Sarpanch of the Village Panchayat.

10. Article 21 of the Constitution of India guarantees protection of life and personal liberty. Right to life, enshrined in Article 21 means, right to live with human dignity. Water, more so, potable drinking water and medical facilities are fundamental to life and there is a duty cast upon the State under this Article to provide clean drinking water and basic medical facilities to its citizens.

11. Hon'ble Supreme Court in the matter of **AP Pollution Control Board II Vs Prof. MV Nayudu (Retd) and others** reported in (2001) 2 SCC 62 had an occasion to observe as under:

“3. Drinking water is of primary importance in any country. In fact, India is a party to the resolution of the UNO Passed during the United Nations Water Conference in 1977 as under :

“All people, whatever their stage of development and their social and economic conditions, have the right to have access to drinking water in quantum and of a quality equal to their basic needs.”

Thus, the right to access to drinking water is fundamental to life and there is a duty on the State under Article 21 to provide clean drinking water to its citizens.

4. Adverting to the above right declared in the aforesaid Resolution, in **Narmada Bachao Andolan Vs Union of India** reported in (2000) 10 SCC 664 Kirpal, J. observed:

“248. Water is the basic need for the survival of human beings and is part of the right to life and human rights as enshrined in Article 21 of the Constitution of India....”

12. Hon'ble Supreme Court in the matter of **State of Punjab and others Vs Ram Lubhaya Bagga and others** reported in (1998) 4 SCC 117, considered thus:

“6. This Court has time and again emphasised to the Government and other authorities for focussing and giving priority to the health of its citizen, which not only makes one's life meaningful, improves one's efficiency, but in turn gives optimum output. Further to secure protection of one's life is one of the foremost obligation of the State. It is not merely a right enshrined under Article 21 but an obligation case on the State to provide this both under Article 21 and under Article 47 of the Constitution. The obligation includes improvement of public health as its primary duty.”

13. During the course of hearing, this Court time and again issued directions and guidelines, one of which is on 28.02.2018, which reads as under:

“(1) Through this Public Interest Litigation we are dealing with an extremely critical human right issue, which is a brittle situation relating to human life and health. Inhabitants of Village Supebeda, Tahsil Deobhog, District Gariyaband in the State of Chhattisgarh are facing extreme challenges to health leading to kidney failures and related nephrological ailments. This is established beyond doubt on the basis of the materials on record, including the report of the District Legal Services Authority, the pleadings of the State Government, the views of the Environmental Board and also the submissions of the learned Amicus Curiae. The District of Gariyaband is flanked on one side by the State of Odisha; in particular, the District of Bhawanipattanam in that State. Mahasamund, Dhamtari and Raipur in the State of Chhattisgarh are the other neighbouring Districts of Gariyaband. Access to medical help of such nature which is required to manage the aforementioned challenges is not available to the people of the Tahsil Deobhog. They need to travel around 180 Kms. to Raipur. It is impossible for people to come over to Raipur unless exceptional transit support is given by the State for the purpose of dialysis etc.

(2) The learned Additional Advocate General submits that the State Government is making all efforts and is extending support to those patients who are prepared to come. But, the ground reality is that many of the patients do not prefer to come to Raipur to avail quality treatment as is extended under the control of the State Government even through the reputed hospitals there. They prefer to go to the neighbouring District of Bhawanipattanam in Odisha State because of geographical proximity. May be that, the Oriya speaking people of Supebeda also feel comfortable that way. It is stated that the sick try to get some aid from local, may be unauthorised, quack, persons who extend some sort of facilities, which according to the learned Advocates appearing in this case, are predominantly making available analgesics and like materials which would only aggravate

the challenge to the renal system. There is also no due facility of medical service available in that part of Odisha State, going by the submissions.

(3) Existence of very heavy metals and high level of fluoride is contaminating the ground water of Supebeda, thereby making the ground bore-wells useless. The State Government has provided water tanks to be filled with water pumped in from the river Tel. For the time being, we are not looking at the quality of the water of Tel river. The water pumped to the tanks can be even appropriately utilized and made available to the local inhabitation as potable water. But the great challenge is shortage of voltage of power supply. The State Government has even installed Solar Support Systems, but they could only have minimum contribution to the water pumping mechanism. Therefore, the immediate requirement is to augment the power supply levels. We are surprised that such a situation has occurred in the State of Chhattisgarh which can always boast to be a power surplus State. The fault lies in the transmission and requisite augmentation of the voltage at the required place. This is an issue to be immediately addressed by the Chhattisgarh State Power Distribution Company Limited. Therefore, the said company is hereby impleaded as additional respondent. The said Company is hereby directed to ensure that required facility by way of step-up transformers to augment the supply voltage in that village and other requisites are installed and activated within a period of three weeks from now without fail. This time limit is being fixed after due consideration of the emergent situation that is to be handled. The Company shall without fail carry out this requirement forthwith and report to this Court.

(4) We record the submissions of the learned Additional Advocate General that the Community Health Center at Deobhog has the facility to conduct the requisite test relating to renal situations. It is submitted that the location of Community Health Center is in the same Tahsil : Deobhog, in which is Village Supebeda. The learned Additional Advocate General will obtain instructions as to the actual availability and practical utility of such facility for the people of village Supebeda.

(5) The learned Additional Advocate General will also obtains specific instructions as to the shortest time frame within which the optimum number of dialysis units with support staff and doctors could be provided in the District Hospital, Gariyaband with requisite connectivity to the people of the entire District and in particular Deobhog Tahsil including village Supebeda.

(6) The learned Assistant Solicitor General to get instructions.

(7) Critically important issues relating to the Fundamental Right to Life under Article 21 of the Constitution of India arise for decision in this matter. Access to justice is a crucial matter. The persons and their families are socio-economically challenged and vulnerable groups of citizens. Hence, Chhattisgarh State Legal Services Authority is impleaded. Registry to notify the Member Secretary, Chhattisgarh State Legal Services Authority and show in cause-list.

(8) Post this matter on 28/03/2018.

(9) The Registry will communicate a copy of this order to the Chhattisgarh State Power Distribution Company Limited.”

14. In pursuance of that order, the State made submissions supported by affidavits, stating therein that the State Government is providing a semi-auto analyser in the Community Health Centre, Devbhog and Medical team from CHC Devbhog will daily visit village Supebeda and nearby villages to collect samples. Under the scheme of Union of India ie National Health Mission, Chhattisgarh State issued communication for preparation of draft request for proposal of providing dialysis service at District Head Quarters and RFP (Request For Proposal) was forwarded for issuance of NIT.

15. Looking to the steps being taken by the State Government and the alarming situation and condition of Supebeda and nearby villages, which

are not appearing to be sufficient, this Court again issued direction on 28.03.2018, which reads as under:

“In the matter of compliance of the directions issued by this Court on 28-02-2018, learned counsel for the State would submit that the steps have already been taken towards establishment of Hemodialysis Centre not only in the District Gariyaband, but also in all the districts of the State and steps towards procurement by issuance of purchase order has been issued to Chhattisgarh Medical Services Corporation Limited. He would further submit that the State authorities have also taken initiative for providing Semi Auto Analyzer at Community Health Centre, Devbhog, which will help in improving investigation facility.

Learned counsel for the respondent-CSPDCL submits that effective steps are being taken towards improving power supply condition and status report would be submitted within a period of two weeks.

Since the matter relates to providing proper health services to the residents of the State, the authorities, who are engaged in procurement of medical equipments and establishment of Hemodialysis Centre in the District Gariyaband and other districts, shall submit a road map before the Court in three weeks, so that, the procurement and installation is completed within a fixed time line.

List this matter after four weeks.”

16. Pursuant to above order, another affidavit was filed by the State mentioning therein that they complied with the directions issued by the the Court and have installed Hemodialysis Machines at CHC Devbhog and also in District Hospital, Gariyaband, making easy approach for the patients and affected persons. It was also stated in the affidavit that auto analyser equipment was also installed to ascertain the stage of disease of kidney. They have taken steps for training the staff of the CHC Devbhog for operating Hemodialysis Machines in the CHC and accordingly, purchase of necessary equipments, also for establishment of blood

storage unit. It was also mentioned in the affidavit that the State is taking all the efforts for training of doctors, nursing staff of that area and also looking to the requirement of medical facilities for construction of Sub-health centre at village Supebeda and upgrading the CHC at Devbhog by increasing its capacity from 30 beds to 50 beds.

17. The State submitted affidavit on 14.12.2018 mentioning therein that they have already selected staff for CHC Devbhog for training at DKS Hospital, Raipur. It was also mentioned that before giving training to the staff at CHC Devbhog, one technical expert has been deputed by the DKS Hospital and Institute Research Centre, Raipur for giving services at CHC Devbhog. They stated that the State Government is making all efforts for providing best medical facilities to the persons/villagers at village Supebeda as well as nearby villages. The State also submitted by way of affidavit that they have sent samples of drinking water for its test at National Institution of Technology, Raipur, in which Fluoride and Arsenic contents were found in excess quantity. Looking to the report, solar based plants are under process for installation, for treating excess Fluoride and Arsenic contents in water. In the report of CSIR-NEERI (Council of Scientific & Industrial Research, National Environmental Engineering Research Institute), it was found that only one element was found marginally in excess quantity. For supply of potable water, pipelines were also changed and repaired at appropriate places for supply of water at Supebed village. Various set-up were also established to store clean water with capacity of 2000 litres each for providing hygienic potable water and all other measures like installation of Solar Submersible Pumps and

DC Submersible SPV Dual Pump of 600w for uninterrupted supply of water to the affected villages and also for making supply of drinking water hassle free. The State also decided to install various plans for providing potable drinking water to these villages.

18. Shri Sunil Otwani, Advocate appointed by this Court as Amicus Curiae submitted his report on 15.05.2019 in which he mentioned that Power Distribution Company has installed transformers for supply of electricity with appropriate voltage and it has been made operational but even after that, voltage was fluctuating in between 120 to 130 volts. Three Medical Officers, namely, Dr Markande, Dr Dhruw and Dr Gupta were trained in DKS Hospital, Raipur to run and operate Hemo Dialysis machines. It is also pointed out that 8 other nearby villages also facing the same kidney problem along with Supebeda village. The Government has taken decision to arrange drinking water for villagers from Tel River but no substantive work has been done in this regard and if the water supply is done from Tel River, it may be of great relief to local people/residents of these affected villages. Solar pumps are not effective to supply potable drinking water daily, 365 days in a year. He pointed out that though many steps are being taken by the Government to provide medical and water facility to the local residents, still lot of work is required to be done to eradicate the problem of Renal failure.

19. Learned Amicus Curiae on 11.11.2019 submitted his another report in which it was mentioned that on interaction with local villagers, he was informed that they are using drinking water supplied from village Nishiguda which is of better grade but due to non-availability of electricity in that

village, submersible pumps are being operated by solar energy and it may not work for all 365 days due to climate condition. Though the government took decision to supply water to the affected villages from Tel river flowing near by but no substantial steps are taken yet. After lapse of six months, only decision is taken for allocating Rs.10 crores for laying water supply pipeline, even the decision of allotting Rs.10 crores will not meet the requirement, as the project cost, as per officials of Public Health Engineering is Rs.14,13,20,000/- and its completion period would be 18 months. He mentioned in the report that till the proposed project is finalised and completed (supply of water from Tel river), the issue can be sorted out to some extent by providing electricity to village Nishiguda.

20. Pursuant to all these reports, particularly considering the report of learned Amicus Curiae and also various affidavits filed by the State, we have recorded some findings in our order dated 14.11.2019. Relevant portion of Order is reproduced here below:

“Shri Sunil Otwani, learned *Amicus Curiae* appointed by this Court submits that after conducting personal visit to the location, an additional report has been filed on 11.11.2019. The learned counsel submits that pursuant to the suggestion/solution pointed out by the *Amicus Curiae* in the first report filed in May 2019, appropriate steps have been taken by the State to provide portable water to the residents of the locality from the river 'Tel' and no grievance is subsisting in this regard. However, certain other important aspects are also to be dealt with on war footing and they have been pointed out in the additional report now filed in the last week.

As per the new report, the inadequacies and further remedial measures are pointed out with reference to laying of pipelines and the medical facilities to be provided including the necessity to post the Radiologist/Sonologist. Further course of action is to be pursued in view of the reluctance expressed from the part of the villagers to avail treatment at Government hospital, who virtually prefer to go to the better

hospitals at Visakhapatnam and Dharamgarh in respect of the instability of electric voltage felt in the area. The learned counsel further submits that the medical facility can be sought to be extended for availing treatment from the hospitals in Visakhapatnam and Dharamgarh as fund is provided under the Central Government Scheme, by name, 'Ayushman Bharat Scheme', and the State Government only needs to support the same. The learned Additional Advocate General seeks for time to have a discussion with the authorities concerned on all the relevant heads as mentioned above and to make appropriate submission before this Court by putting the same in writing. Post this matter on 05.12.2019."

21. In pursuance to the aforementioned order dated 14.11.2019, Health Department of the State submitted their additional reply mentioning therein that even though there is paucity of radiology/sonology assistants in the entire state of Chhattisgarh, against 30 sanctioned posts, only four posts are available and sincere efforts are being taken by the State Government to provide Radiologist/Sonologist at CHC Hospital, Devbhog to meet out the present emergent needs, a letter has been sent to the Director, Medical Education to post one Radiologist, Sonologist working at Pandit Jawahar Lal Nehru Medical College, Raipur at District Hospital, Gariyaband, on weekly basis. As observed by this Court, a Scheme namely, '**Ayushman Bharat**' for getting medical treatment of the persons suffering from medical ailment would be available in all the registered hospitals, even beyond the territory of the State of Chhattisgarh. The State is providing facility of treatment to persons suffering from medical ailment in both public and private hospitals with free cost of medical treatment along with drugs prescribed by the Specialists of private doctor under the Scheme of '**Ayushman Bharat**' and '**Sanjeevani Kosh**' and recently, 10 persons of Supebeda village have taken free treatment in

Ramkrishna Hospital, Raipur. To provide advance medical treatment, State Government has sanctioned fund to the tune of Rs.42.27 lakhs. The Government is making all its endeavour to provide Hemo-dialysis medical facilities at gross root level. Facilities of Pathology test and dialysis have been made available at CHC Devbhog, District Gariyaband for regular check-up of the villagers.

22. Shri Otwani mentioned in its report that the kidney diseases are not only confined to village Supebeda but other nearby villages, Pariyapal, Sendramuda, Motrapada, Sagunbadi, Tirliguda, Khoksara and Mushtiguda are also affected villages of block Devbhog, District Gariyaband. Though dialysis machine is installed but not a single dialysis is being done. Government has taken decision to appoint MD Medicine Doctor in CHC Devbhog. The semi-auto analyser machine is installed for pathology test but some more machines and instruments are required. Medical and paramedical staff are required to be deputed at CHC Devbhog and against 128 sanctioned posts, only 49 are working. Due to lack of medical facility, the villagers take treatment either from hospital at Orissa or Andhra Pradesh. Earlier, kidney patients were referred to the DKS Hospital Raipur but looking to their complaint and dissatisfaction in providing facilities and treatment, now, administration is referring patients to Ramkrishna Care Hospital, Raipur and about 9 persons are referred to Ramkrishna Hospital, Raipur for treatment. It is mentioned by the learned Amicus Curiae that State Government is making best of its effort to provide medical facilities to the persons suffering with kidney disease but attempt for supply of potable water has not been taken as it was required to be done. The treatment is

made available at government and private hospitals both free of cost including prescribed drugs by the specialists of private hospital. The Power Distribution Company Limited has also taken steps for supply of electricity but all these efforts made by the State and the Power Distribution Company requires proper supervision and its implementation through the supportive staff of particular schemes.

23. Providing potable drinking water and medical facilities to the residents of the State are important duties of the State and in which after filing of this Writ Petition for village Supebeda and nearby villages, the State Government has taken effective steps to meet out with the situation and issue raised by the Petitioner. The reports relied upon by the State are also made part of the Writ Petition. It is apparent that the major cause for suffering of residents of these affected villages is non-availability of potable drinking water. Underground water available in that area is contaminated with excess Lead, Flouride, Arsenic and other minerals, injurious to health of residents, residing in aforementioned affected villages. State Government has already taken into task in war footing for supply of potable drinking water. The State has installed solar energy based submersible water pumps at village Nishiguda and water purifiers, storage tank for providing potable drinking water and also planned to supply water from Tel river and necessary steps are also being taken for the launching of that project. State also installed dialysis machines, semi-auto analyser for pathology tests, storage of blood units and trained staff, so that effective medical facilities can be made available to the villagers/residents who are already suffering from Renal/ Kidney diseases.

24. Taking note of the fact that the water in that area is contaminated, we direct that before starting the project for supply of clean potable water from Tel river, the State Government should initiate/indicate and put forth all necessary and relevant tests of that water source to become doubly sure that the water to be supplied is potable, so that the said project for installation and laying of pipelines may not be wasted, if, after completion of the project, that water source found to be contaminated, then all efforts will go in vain. This effort of testing the water source should be made before commissioning of the project and if the water is found to be potable after getting it tested from different government agencies like Raipur NIT and Nagpur NEERI, the steps for completion of project may be taken further at war footing.

25. In view of above, what is emerging is that, the State Government has taken various steps to resolve the problem of potable water which appears to be the root cause of suffering of villagers of Supebeda and nearby villages, and also to provide medical facilities to ailing persons of Supebeda and other nearby villages. We direct that the State Government will implement the proposed projects at the earliest and will provide hindrance free medical treatment and check up the residents of village Supebeda and nearby villages, uninterrupted supply of potable drinking water. We also direct the State Power Distribution Company to monitor continuous supply of the uninterrupted power supply with proper voltage as it is the important mechanism for providing potable drinking water as lack of potable drinking water is one of the prime cause of suffering of villagers from kidney disease.

26. We record the submissions made by the State that they are making best of their efforts to meet out the situation of village Supebeda and other nearby villages and to provide best medical facilities to the persons suffering from Renal ailment. However, some more efforts have to be made by various departments of State Government jointly, along with the State Power Distribution Company to meet out the situation of lack of potable water and proper medical & health facilities to the persons who are residents of remote areas of the State suffering from the severe renal diseases.

27. We direct the respondent State and the Power Distribution Company to supervise the task and facilities which are now made available may be provided to the villagers hindrance free. We also hope and expect that they will fulfil their words mentioned in the affidavit with their deeds and will continue for providing better hospital and medical facilities, installation of required testing machines, supply of potable water and completing the water supply project being the welfare, State for betterment of poor, villagers living in interior part of the State.

28. Looking to the earnest steps taken by the State Government, as well as the Power Distribution Company as reflected from their affidavits, and reports as well as the report of Amicus Curiae, it is apparent that proper steps have been taken by the State or its agency to meet out the subject issue, we do not find it appropriate to keep this Public Interest Litigation Petition pending any further, for the time being.

29. Accordingly, with the above observation and direction, we close the writ petition making it clear that the petitioner can again approach this Court by filing a fresh petition if circumstances so warn out in due course.

30. Before parting with the case, we record appreciation to the efforts made by learned Amicus Curiae and learned counsel appearing for both the sides for their valuable assistance.

Sd/-
(PR Ramachandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge