

News

28 States and UTs' health secretaries are called before the Supreme Court for their inaction on ICU safety measures.



The cops were ordered to appear in person at the next hearing date with affidavits outlining their "casual approach" by the court.

In the case of Asit Baran Mondal & Anr. vs. Dr. Rita Sinha & Ors., the Supreme Court has sent show cause letters to 28 States and Union Territories (UTs) for not following its directives to establish universal standards for patient safety in critical care institutions and intensive care units (ICUs).

The relevant Additional Chief Secretaries or senior-most Health Department officials of each defaulting State and UT were asked by a bench of Justices **Ahsanuddin** Amanullah and NK Singh to physically appear before the court on November 20 with show-cause affidavits.

In light of this, notice is sent to the senior-most official or additional chief secretary of the Department of Health in each of the relevant States and Union Territories (UTs) asking them to explain why they should not face consequences for their careless behavior toward the Court. The bench ordered that the aforementioned officers appear in person before the court on the next hearing date, which is November 20, 2025, together with their personally affirmed show cause affidavits.

The judges made it plain that no justifications would be accepted.

The judges stated that the officers who have been ordered to attend may not present any justification, such as previous commitments or other activities, which would be rescheduled to accommodate the order issued today.

Assam, Chhattisgarh, Goa, Gujarat, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Mizoram, Odisha, Punjab, Rajasthan, Sikkim, Telangana, Tripura, West Bengal, Chandigarh, Delhi, Jammu and Kashmir, Puducherry, Lakshadweep, Ladakh, Andaman and Nicobar Islands, Dadra and Nagar Haveli, and Daman and Diu are among the states and union territories on the list of defaulting states and union territories.

The case that the Court was considering started in 2016. The initial complaint focused on the lack of consistent standards for intensive care units and critical care units, as well as claimed medical malpractice at private hospitals. Even if the appeal was denied in 2024, the Supreme Court chose to keep an eye on the broader problem of national critical care standardization.

The Court has since issued a number of directives instructing the States and the Center to collaborate on a framework.

In order to create draft standards for ICU/CCU admission, treatment, staffing, hygiene, and infrastructure, the Court ordered each State to convene conferences with all parties involved, including corporate hospitals, on August 5 of this year. Top health secretaries also had to accept personal accountability and approve the resolutions.

Upon reexamining the case on August 19, the Court observed that the exercise was still unfinished in spite of the urgency. It emphasized that no meaningful guidelines could be provided in the absence of a thorough plan.

The Court established a three-person committee of Additional Solicitor General Aishwarya Bhati, Amicus Curiae Karan Bharihoke, and Dr. Nitish Naik (Professor of Cardiology at AIIMS, New Delhi) in order to guarantee expert input. The Court ordered States to submit their reports to the committee by October 5 after finishing them by September 30.

When attorneys representing a few States requested an extension on September 18, the bench granted it, but cautioned that failure to adhere to deadlines would have dire repercussions. However, on October 13, the Court discovered that almost two dozen States and Union Territories had either not filed their reports at all or had done so after the deadline.

The Bench expressed dissatisfaction, stating that the Court's patience had been put to the limit.

The court said, **"We are more hurt than shocked by the casualty displayed by various States, that despite the Court's overindulgence with regard to the exercise, the officers involved have taken the orders of this Court very lightly."**

The Court cautioned during the show-cause letters that harsh action would be taken against the officers and the states in question if they continued to violate the rules or submit pointless reports. It asked the three-member committee to start discussing the existing information and to create a report at the same time.

Top health authorities from over the nation are anticipated to appear in court on November 20 to discuss the case.