

# News

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## To "save" people from an intense heatwave, the Rajasthan High Court has filed a suo motu lawsuit.

"People cannot be regarded like cattle. The Court declared that all living things, including humans and animals, including birds, have the right to life.



On Thursday, the Rajasthan High Court filed a suo motu petition against the State administration for failing to take action to lessen the severity of the heatwave.

**Judge Anoop Kumar Dhand** stated that although the State has not yet developed an action plan to address the growing problem of heatwaves, Rajasthan's impending summer season presents a significant public health risk.

"Neither any efforts have been made by the State to implement the "Heat Action Plan" developed under the Rajasthan Climate Change Project in its true letter and spirit nor any steps have been taken to ensure effective implementation of the scheme 'Strengthening Health Systems Preparedness of Heat Related Illness (HRI) in India' and no advisory has been so far issued to the State Health Department regarding upcoming heatwaves, which is essential in the interest of public welfare," said the court.

The Court further stated that in a related suo motu matter that was started last year, the State has not taken any action in spite of directives being issued.

*"This Court is constrained to observe that the instant case is a classic and glaring textbook example of obstinacy exhibited by the State Officials, who appear to consider themselves above and beyond the reach of law,"* said the sole judge.

**Then he pointed out the following shortcomings:**

of date, the State has not developed a system of sprinkling water on roadways busy with traffic.

There are no areas with shade or cooling facilities at traffic lights, roadside rest stops, or in crowded areas;

- Major traffic signals are still exposed, providing commuters and pedestrians with little shelter from the severe heat and blazing sun;

-Mango panna, ORS packets, water spraying, and other cooling relief methods have not been made available to the general populace, especially daily wage laborers, porters, and rickshaw and cart pullers;

-No facilities for animals and birds to consume water have been set up;

-There are no recommendations that prescribe rest intervals between 12 p.m. and 3 p.m. during the summer's most intense heatwaves for outdoor workers, such as porters, cart pullers, and rickshaw drivers;

- Not taking action to notify the public of extreme weather and heatwave conditions by means of Short Message Service (SMS), FM radio, television, mobile applications, print/electronic/social media, newspapers, etc.

The Court further stated that when people are experiencing severe heatwaves and heat strokes, it cannot ignore the problem.

*"State citizens cannot be regarded like cattle. Each and every living creature, including birds and animals, has the right to life,* according to Justice Dhand.

In order to address the issues raised in the case and create an action plan, the sole judge then ordered the State Chief Secretary to form a coordination committee with representatives

from several departments.

The Court further noted that the government cannot use a lack of funding as an excuse when it may spend millions on award ceremonies, PR campaigns, and other non-publicly beneficial endeavors.

*"Putting money into meeting the needs of the public must be the government's first priority. Public policies should be formulated and carried out in the general public's best interests using tax dollars. Even though the government has a limited budget, it must prioritize spending public funds on necessities. To guarantee that government resources are spent efficiently and in the general public's best interests, transparency and public involvement are crucial,"* the statement stated.

The Court scheduled the hearing for April 24 in addition to the previous suo motu case. The authorities have been requested to explain why they have not been given the following instructions in the interim:

In every district of the state of Rajasthan, trees should be planted on both sides of the roadways. Additionally, green public areas should be created for the benefit of the general population.

(b) In the best interests of the general public, the State Health Department should issue an advisory on heatwave season and implement the "Heat Action Plan" created under the Rajasthan Climate Change Project with immediate effect, in letter and spirit, as well as the "Strengthening Health Systems Preparedness for Heat Related Illnesses" program.

(c) To enact and execute the Prevention of Deaths Due to Heat and Cold Waves Bill, 2015, as an Act, with immediate effect.

(d) To develop a plan for carrying out the intermediate and final directives annually, beginning when the summer season peaks and temperatures rise over 40°C.

(e) To provide a fair and appropriate sum of compensation to the dependents of heatwave victims who died from heat stroke.