

ORDER SHEET
IN THE HIGH COURT OF SINDH, KARACHI
C.P.No.D-2105 of 2020

Date _____ Order with signature of Judge _____

Present

Mr. Justice Muhammad Ali Mazhar

Mr. Justice Yousuf Ali Sayeed

M. Tariq Mansoor Advocate.....Petitioner

Versus

The Province of Sindh & others..... Respondents

03.04.2020

Petitioner M. Tariq Mansoor Advocate present.
Mr. Jawad Dero, Addl. A.G. Sindh.
Dr. Sikandar Memon, Chief Technical Officer,
Health Department present.
Dr. Durenaz Jamal, Director, Sindh Blood
Transfusion Authority present.
Mr. Altaf Qureshi, Deputy Director (Operation)
PDMA present.
Mr. Abrar Ahmed, Focal Person Home Department present.
Raza Mian, DSP (Legal), I.G. Sindh Police office present.
Mr. Asad Ali C.E.O., Hussaini Blood Bank present.
Mr. Mohammad Iqbal, Chairman,
Kashif Iqbal Thalassemia Care Center present.

Muhammad Ali Mazhar, J: The Secretary Health has filed the statement which is reproduced as under:

“It is submitted that in the wake of COVID-19 situation & lockdown and looking into difficulties to the patients of Thalassemia in receiving blood and blood products, the Health Department, Government of Sindh through Director, Public Private Partnership Node (PPP Node) has already issued instructions to the Regional Blood Centers (RBCs) of Government of Sindh, running under Public Private Partnership (PPP) mode to provide screened and safe blood transfusion services without financial/monitory demand claimed by any RBC against the said services (Annexure-I). The location of RBCs is as under:

- I. Regional Blood Center, Karachi, Near Qatar Hospital run by Fatimid Foundation.
- II. Regional Blood Center, Jamshoro run by Indus Hospital, Karachi.

III. Regional Blood Center, Shaheed Benazirabad run by Fatimid Foundation.

IV. Regional Blood Center, Sukkur run by Sukkur Blood and Drug Donating Society.

2. It is also pertinent to mention here that another letter has also been sent by the Director, Sindh Blood Transfusion Authority to the RBCs along-with a list of Thalassemia Centers in Sindh for the similar action (Annexure-II).

3. It is further submitted that as the Health Department is making all out efforts to address the issues/difficulties of “Thalassemia Patients” and the instructions in this regard have already been issued to all concerned throughout the province, therefore, it is humbly prayed that the instant petition may kindly be disposed of.”

2. The Focal Person of the Home Department Mr. Abrar Ahmed on court matters has also submitted the reply in which they have clearly mentioned that their department has no objection if precautionary measures are adopted by the Blood Banks while collecting blood from donors. The petitioner referred to the lockdown order dated 22.03.2020 issued by Additional Chief Secretary (Home) and argued that the Blood Banks may be included in the essential services. On this the learned Addl. A.G. Sindh pointed out page 2 of the lockdown order which relates to the essential services in which it is pointed out that the health and related services like hospitals, medical stores, laboratories, manufacturers, food and related industry/manufactures are already included in the essential services. The Focal Person of the Home Department has also filed clarification dated 01.04.2020 issued by Home Department, Government of Sindh and communicated to the Inspector General of Police, Sindh, the Additional Inspector General of Police (all in Sindh) and the Commissioner (all in Sindh). This clarification provides that the activities related to health services like hospitals, laboratories, blood banks and medical centres are deemed to be essential services.

3. Mr. Mohammad Iqbal, Chairman, Kashif Iqbal Thalassemia Care Center and Mr. Asad Ali, Chief Executive

Officer, Hussaini Blood Bank are present and they submit that their Blood Banks are opened and they are already operating, however, they raised some issue that some time their employees are being stopped so they cannot come to the office on time.

4. The learned Addl. A.G. Sindh submits that he will communicate to the Home Department that the employees of registered Blood Banks may not be stopped on showing their identity cards and the Focal Person of Inspector General of Sindh Police office is also present and he has also assured that in the lockdown period the employees of Blood Banks shall not be stopped to attend their duties after showing their CNIC and employment cards of their proper registered Blood Banks.

5. At this juncture, the petitioner also raised another issue that COVID-19 Testing Kits and Personal Protective Equipments (PPEs) have not been provided to the Blood Banks. He further added that in case the blood is transfused or collected without this test, this would be great danger to the Thalassemia patients.

6. Dr. Durenaz Jamal, Director Sindh Blood Transfusion Authority submits that this pandemic came recently but their old tradition or the standard operating procedure was to be followed by the Blood Banks and in case any fever or flu or any significant health complication in any donor, the Blood Banks are not allowed to draw the blood from donors. The representatives of two Blood Banks present in court confirmed this position. She further added that all registered Blood Banks have already been advised that before taking blood they will also verify the history of the donors including any recent travelling history and history of contacts with the patients of COVID-19 and any other symptoms of COVID-19 so that they should be refused to donate their blood.

7. The petitioner submits that some directions may be issued to the Health Department for providing PPEs and COVID-19 Testing Kits to all registered Blood Banks on which Dr. Sikandar Memon, Chief Technical Officer, Health Department

and Mr. Altaf Qureshi, Deputy Director (Operation), PDMA jointly submit that at present they have already established 20 centres for the COVID-19 Tests and they have not enough facility or the provision to arrange the kits and provide the same to the Blood Banks in addition to their own centres, however, we direct the Health Secretary, Government of Sindh to examine this aspect and make some efforts to arrange further COVID-19 Testing Kits and PPEs, that may be supplied to all the registered Blood Banks as precautionary measure. The registered Blood Banks may contact Health Department, Government of Sindh.

The petition is disposed of.

Judge

Judge

Asif