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Covid-19: No data to show more risk from unvaccinated, says Supreme Court

Amit Anand Choudhary / TNN / Updated: May 3, 2022, 02:14 IST

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NEW DELHI: While ruling that people cannot be forced into getting jabbed against Covid-19 and that unvaccinated people can't be denied access to public places, the Supreme Court made it clear that it was passing the order in view of the present situation alone, and it should not be construed as "interference" with government's power to take steps for prevention of Covid-19 infections.

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"Persons who are keen to not be vaccinated on account of personal beliefs or preferences, can avoid vaccination, without anyone physically compelling them to be vaccinated. However, if there is a likelihood of such individuals spreading the infection to other people or contributing to mutation of the virus or burdening of the public health infrastructure, thereby affecting communitarian health at large, protection of which is undoubtedly a legitimate state aim of paramount significance in this collective battle against the pandemic, the government can regulate such public health concerns by imposing certain limitations on individual rights that are reasonable and proportionate to the object sought to be fulfilled," Justice Rao, who penned the verdict, said.

The court said the Centre and states did not place any scientific evidence or data before it to indicate that the risk of transmission of the virus from unvaccinated individuals is more than from vaccinated persons to justify the discriminatory treatment of unvaccinated individuals in public places.

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