



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Civil Writ Petition No. 4990/2020

Suo Motu

----Petitioner

Versus

State Of Rajasthan

----Respondent



For Petitioner(s) : Suo Motu

For Respondent(s) :

**HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SATISH KUMAR SHARMA**

Order

24/03/2020

This petition has been registered as Public Interest Litigation upon the letter received from Mr. Sehban Naqvi, Advocate.

The State Government and the Indian Council of Medical Research (ICMR) through Union of India are directed to be impleaded as party respondents in the matter.

The world is facing greatest challenge of pandemic Covid-19. Our country is at the verge of Stage-3 of Pandemic. We stand at 145th position in medical and health services. In order to control the pandemic the Central Government as well as State Government(s) have taken appreciable steps, however taking note of the fact that the pandemic is mainly spreading due to human contacts with already infected persons and as per news reports it has not been totally curbed, therefore, in the interest of public at large, following directions are issued for strict compliance:-



1. The State Government shall ensure that all the departments engaged in prevention of pandemic, regularly review the situation on daily basis and issue appropriate instructions as needed.

2. A multi-tier mechanism for close watch and monitoring be evolved to ensure strict compliance of the directions leaving no smallest lapse at any level.

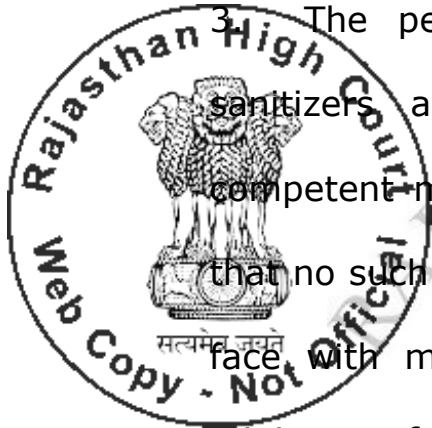
3. The personnel engaged in essential duties be provided sanitizers and good quality masks, as recognized by the competent medical agencies. By close supervision it be ensured that no such personnel remain on duty without covering his or her face with mask. While on duty all such personnel shall keep minimum of two meters to each other.

4. No private or public gathering shall be allowed in the name of function or meeting except in emergent and extremely necessary situation, that too, with prior permission of the concerned authorities, but in that case also it shall be strictly ensured that no person shall remain without covering his face with masks and maintain minimum required distance of two meters with each other.

5. No person shall be allowed to come out without covering his face with masks even for purchase of essential households or medicines or for any other emergent purpose.

6. The Government machinery shall strictly take all effective measures to ensure compliance of lock-down and other similar steps announced or to be announced to control the pandemic.

7. All the measures and precautions be widely disseminated through print, electronic & social media through an appropriate





designated officer on a daily basis till the pandemic is brought under control.

Some cases have been noticed where the infected persons were discharged from the hospitals after declaring them infection free and after a few days they had to be again hospitalized having been found infected. This is a very risky situation, which may result in rapid spreading of the pandemic Corona Virus (COVID-19) through such persons.

It is noticeable that various tests are being conducted to detect the Corona Virus in human body but only blood test can be most effective in detecting the infection of virus including Corona Virus.

Therefore, the Director, Indian Council of Medical Research is directed to thoroughly consider the issue and pass necessary instructions to all medical and health agencies not to discharge a Corona Virus infected patient unless he is found completely virus free through blood test. Similar precautions may also be adopted for the persons who are kept in home isolation or in quarantine.

Registry is directed to furnish a copy of the order alongwith relevant documents in the Office of learned Advocate General as well as learned Additional Solicitor General for Union of India.

Let an affidavit containing the details of steps taken in compliance of the above directions be filed by the State Government and the Union of India.

Matter be listed on 21.04.2020.

(SATISH KUMAR SHARMA),J

(INDRAJIT MAHANTY),CJ

KAMLESH KUMAR /s-5