

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/WRIT PETITION (PIL) NO. 42 of 2020

With

CIVIL APPLICATION (FOR DIRECTION) NO. 2 of 2020

In R/WRIT PETITION (PIL) NO. 42 of 2020

With

R/WRIT PETITION (PIL) NO. 47 of 2020

With

R/WRIT PETITION (PIL) NO. 48 of 2020

With

R/WRIT PETITION (PIL) NO. 49 of 2020

With

R/WRIT PETITION (PIL) NO. 50 of 2020

With

R/WRIT PETITION (PIL) NO. 51 of 2020

SUO MOTU

Versus

STATE OF GUJARAT & 2 other(s)

Appearance:

SUO MOTU(25) for the Applicant(s) No. 1
for the Opponent(s) No. 1,2,3

CORAM: HONOURABLE THE CHIEF JUSTICE MR. VIKRAM NATH

HONOURABLE MR.JUSTICE ASHUTOSH J. SHASTRI

Date : 27/03/2020

COMMON ORAL ORDER

(PER : HONOURABLE THE CHIEF JUSTICE MR. VIKRAM NATH)

1 In Civil Application No.2 of 2020 in Writ Petition (PIL) No.42 of 2020, the applicant has prayed for the following reliefs:-

[A] Admit and allow this civil application;

[B] Your Lordships may be pleased to direct the respondents, their employees, officers as well as other competent authorities to make suitable arrangements for providing fresh cooked meals to (a) the homeless, (b) beggars, (c) shelter home inmates, (d) beneficiaries of midday meal scheme and aangawadi, (e) and persons who are living in a hand-to mouth situation like daily wagers, construction workers, plumbers, carpenters, cobblers and other daily wagers who are doing odd-jobs etc.

[C] Your Lordships may be pleased to direct the State as well as other competent authorities to make suitable arrangements for providing hot, cooked meals to all beneficiaries of the Mid-Day Meal Scheme throughout the State of Gujarat until the lockdown situation prevails, in the interest of justice;

[D] Your Lordships may be pleased to direct the State as well as other competent authorities to refrain the teaching and non-teaching staff of the government, private schools and grant-in-aid schools to mark their attendance in schools and to stay at home in self-isolation and/or self-quarantine;

[E] Your Lordships may be pleased to direct the local bodies, private officers, firms to strictly comply with the lockdown orders and not to insist for personal attendance till the lockdown situation prevails in the state of Gujarat;

[F] Your Lordships may be pleased to direct the respondents to involve and identify all elected municipal and panchayat councillors

and elected MLAs of respective constituencies to further identify senior citizens who are living below poverty line, provide food grains, basic vegetables like potatoes, flour and basic medicines and to provide the same till the lockdown situation prevails or till normalcy is achieved.

[G] Your Lordships may be pleased to direct the respondent no. 1 to issue appropriate directions under the orders of his Excellency the Governor of Gujarat and the Hon'ble Chief Minister of Gujarat to direct all elected representatives being members of legislative assembly, all municipal and panchayat councillors not to leave their respective constituencies and to carry out all social obligations as prayed for in this application till normalcy is achieved in the State of Gujarat.

[H] Your Lordships may be pleased to direct the respondents to immediately give directions to the Home Department, State of Gujarat to issue instructions forthwith to grant vehicles pass and personal pass without insisting for paperwork to medical attendants / nurse so as to facilitate them to attend medical cases of patients who are being treated at home.

[I] pass such other and further reliefs as deemed just and proper in the facts and circumstances of the present case,”

1.1 By way of draft amendment, the applicant in Civil Application No.2 of 2020 in Writ Petition (PIL) No.42 of 2020 has prayed for the following additional reliefs:

“D[I] Your Lordships may be pleased to direct the Respondents to distribute one month's ration to the all needy persons irrespective

whether they are having a ration card or not, with immediate effect in the interest of justice;

D[II] Your Lordships may be pleased to direct the Respondents to pay the daily allowance of Rs. 150/- per day to all needy persons to enable purchase of milk, vegetables, edible oil, spices, etc. in the interest of justice;

D[III] Your Lordships may be pleased to direct the Respondents to pay minimum of one months' salary to daily wage workers, fixed salaried employees, contract workers, working under the government or semi-government, grant-in-aid institutions and also working under local authorities like municipal corporations, municipalities, panchayats during the lockdown period in the interest of justice;

D[IV] Your Lordships may be pleased to direct the Respondent to pay one months' salary to traffic regulation brigade, Asha workers, anganwadi workers, MDM workers like organizers, cooks and helpers, home guards, who get their salary on the basis of their actual days of work, in the interest of justice;

D[V] Your Lordships may be pleased to direct the Respondents to pay a one-time reasonable amount to auto-ricksha drivers, Ola/Uber drivers, pan masala shop / stall owners, tae-stall owners and other small business owners, migrant workers, homeless persons, widows, domestic workers, and all other unregistered non-organized freelance workers who are not registered in any manner, anywhere and also the employees of private enterprise companies in the interest of justice.

D[VI] Your Lordships may be pleased to direct the Respondents to make suitable arrangements and provide shelter to homeless persons, beggars, migrant workers at the community halls, party plots and schools run and managed by government, municipal corporations, municipalities, panchayats, including grant-in-aid schools and provide fresh cooked meals (lunch and dinner) in the interest of justice.”

1.2 The above draft amendment is granted. Necessary incorporation may be made in due course.

2 In Writ Petition (PIL) No.47 of 2020, the petitioner – Sanaullahkhan Rustamkhan Pathan, has prayed for the following reliefs:-

“[A] Hon’ble Court may be pleased to direct the respondents to take appropriate steps in order to curb the situation of the Pandemic COVID-19 Virus in the Sabarmati Central Jail including Tests of Prisoners for Corona Virus and availability of Masks and Sanitizers in Jail premises for Prisoners.

[B] Hon’ble Court may be pleased to direct the concerned authorities to take a lenient view for Parole, Furlough and temporary bail should be taken for the prisoners and to extent the same until the situation comes under control.

[C] To dispense with the affidavit of the petitioner as he is in

judicial custody.

[D] Grant such other and further relief/s which may deem fit to the Hon'ble Court in the interest of justice."

3 In Writ Petition (PIL) No.48 of 2020, the petitioner - Sikander Marghoobalam Saiyed has prayed for the following reliefs:-

"[A] Your Lordships may be pleased to kindly admit and allow the present petition.

*[B] Your Lordships may be pleased to kindly issue an appropriate Writ, direction(s) and/or order(s) to the present as prayed for in paragraph no. 10*** of the Petition.*

[C] Your Lordships may be further pleased to grant any such other relief that may be deemed just and proper in the matter and in the larger interest of justice.

Sr No	Reliefs/Prayers
1	<i>Appointment of volunteers from every society to ensure food and basic daily necessities.</i>
2	<i>Issuance of curfew pass for the volunteers to avoid police clash.</i>
3	<i>Allowing area(s) for temporary creation of the tents for preparing food & delivery.</i>
4	<i>To enable the authorized volunteers to track the hungry, needy people and provide them food round the clock (24 * 7)</i>

****Para-10. It is humbly submitted that a chart is hereby incorporated so as to enable the Honourable Court with regard*

to the reliefs sought and prayed for in the petition which is as under:-

4 In Writ Petition (PIL) No.49 of 2020, the petitioner – Tatvam K.

Patel has prayed for the following reliefs:-

[A] Your Lordships may be pleased to admit/allow captioned petition;

[B] Your Lordships may be pleased to issue a writ of mandamus or any other appropriate writ, order or direction directing respondent authority not to arrest any person/s named in any complaint / F.I.R. filed U/s. 154 of the Code of Criminal Procedure, 1973 with any police station of any district within the State of Gujarat till the normal functioning of this Hon'ble Court as well as of all subordinate courts resume within the State of Gujarat.

[C] During the pendency of the captioned petition, stay arrest of any person anticipating arrest in connection with any offence in which provision of sentence is seven years or less;

[D] Your Lordships may be pleased to grant any other and further relief/s in the interest of justice.

[E] Affidavit may kindly be dispensed with as offices are closed right now which make it impossible for printing the paper and get them notarized.”

5 In Writ Petition (PIL) No.50 of 2020, the petitioner – Dr.

Prabha Kishore Tavaid has prayed for the following reliefs:-

“[A] Your Lordships be pleased to Admit the present petition;

[B] Your Lordships be pleased to issue a writ of mandamus and/or any other appropriate writ, order or direction in the nature of mandamus directing the respondents to ensure that enough stock for PPE be maintained for the health care workers across the State of Gujarat to ensure their health and decrease the number of infection;

[C] Your Lordships be pleased to issue a writ of mandamus and/or any other appropriate writ, order or direction in the nature of mandamus direct the respondent's authority to provide proper facilities for health care workers after completing their duties and during their quarantine period.

[D] Your Lordships be pleased to issue a writ of mandamus and/or any other appropriate writ, order or direction in the nature of mandamus directing the respondents to form an emergency PPE law enacted for production, distribution and utilization.

[E] or pass any such further order(s) in the favour of the Petitioner as it may deem fit.”

6 In Writ Petition (PIL) No.51 of 2020, the petitioner – Acharya Shrikrishna S. has prayed for the following reliefs:-

“11.1 Your Lordship may be pleased to admit and allow this petition.

11.2 Your Lordship may be pleased to issue a writ of mandamus and/or certiorari or in the nature of mandamus or certiorari or any other appropriate writ, order or direction to the Respondent state to provide packaged food wholesome meals to the Under-Privileged and Poor Workers, Beggars, Children and Street Mongers and such other persons.

11.3 Your Lordship may be further be pleased to direct the Respondent state to device a scheme for distribution of food in a manner to avoid crowding of people and children.

11.4 For further such reliefs as the nature and circumstances of the case may require.”

7 We have heard Shri Anshin Desai, learned Senior Advocate assisted by Shri K.R.Koshti, learned advocate for the applicant in Civil Application No.2 of 2020 in Writ Petition (PIL) No.42 of 2020, Shri N.B.Yusufzai, learned counsel for the petitioner in Writ Petition (PIL) No.47 of 2020; Shri Sikander Saiyed, learned counsel appearing as party-in-person in Writ Petition (PIL) No.48 of 2020; learned counsel Shri Tatvam K. Patel, appearing as party-in-person in Writ Petition (PIL) No.49 of 2020; Shri D.K.Patel, learned counsel appearing for petitioner in Writ Petition (PIL) No.50 of 2020; Shri S.S.Acharya, learned counsel appearing as party-in-person in Writ Petition (PIL) No.51 of 2020; Shri Kamal Trivedi, learned Advocate General along with Ms. Manisha L.

Shah, learned Government Pleader and Shri Mitesh Amin, learned Public Prosecutor appearing for State authorities.

8 Shri Kamal Trivedi, learned Advocate General placed before us two reports highlighting the action taken by the State Government in different sectors to deal with the present crisis of the Pandemic COVID-19 (Corona Virus), a large number of measures have been taken and all cross sections of the society according to Shri Trivedi is being taken care of, in particular, the unorganized sector, unrecognized sector, the migrated labourers / workers from other states, the beggars and all below the poverty line. Ms. Manisha L. Shah, learned Government Pleader apprised the Court of the mandate issued by the Central Government regarding Food Security Allowance in Mid Day Meal Scheme and the steps taken by the State Government in furtherance thereof. We are placing on record all the reports submitted by the learned Advocate General as also learned Government Pleader.

[A] FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIR DEPARTMENT, GANDHINAGAR

Shri Mohammad Shahid, Secretary to Government of Gujarat, Food, Civil Supplies and Consumer Affairs Department, Sachivalaya, Gandhinagar filed Action Taken Report dated 27.03.2020 on behalf of the respondent State, which is reproduced hereunder:

"The present report is being submitted in the captioned proceedings, on behalf of the Food, Civil Supplies and Consumer Affairs Department, Gandhinagar, in respect of certain important actions recently taken in the State in the wake of the spread of COVID-19. They are as under:

- 1. Subsequent to the Lockdown announced by Government of India on 24.03.2020 in wake of COVID-19 pandemic, the movement of all the passenger transport Vehicles was prohibited by the State Government. On 25.03.2020, some people were noticed walking on the roads going towards neighbouring States viz. Rajasthan & Madhya Pradesh and other districts of Gujarat. As soon as it came to the notice of the State Government, District administration officials approached them and persuaded them to go back to their homes in view of the current COVID-19 pandemic. All efforts are being made by District administration to discourage them not to come out on roads and maintain social distance to avoid further spread of COVID-19. It is necessary to keep them in-doors so that they are not exposed and become vulnerable and also not become threat to others in spreading the highly contagious COVID-19, otherwise the entire purpose of lockdown will get defeated.*
- 2. The District administration has however, arranged food packets for them with the help of some NGOs on humanitarian grounds and constantly persuading them to stay in-doors as the neighbouring states are also completely sealed and not allowing any vehicular movement across the inter-state borders.*
- 3. However, by way of exception and as one-time measure on purely humanitarian ground to help about out more than 4000 Daily*

Wagers / Labourers / Workers, who were stranded on the roads at various places in the State, while returning to their respective hometowns situated inside as well as outside the State; their safe and secured transportation has been facilitated with the help of Gujarat State Road Transport Corporation (GSRTC), details whereof till today morning, are as under:

Relief Operation

***Facilitation of Transportation of Persons
(Workers/ Daily Wagers /Labourers)***

***Stranded On The Road At Various Places in The State
(As Per The Requirements of The District Administration)***

Start Time 7:00 PM 25.03.2020

End Time 6:00 AM 26.03.2020

<i>Sr. No.</i>	<i>Place</i>	<i>No. of buses</i>	<i>Passengers</i>	<i>Destination</i>
1	Ahmedabad	19	1511	60 Palanpur
				405 Dahod
				1046 Rajasthan Border
2	Arvalli	3	194	130 Rajasthan Border
	(Modasa-2/Bayad-1)			64 Lunawada
3	Bharuch	5	380	Madhya Pradesh Border
4	Vadodara	2	145	Madhya Pradesh Border
5	Dahod	1	68	Madhya Pradesh Border
6	Godhara	1	72	Madhya Pradesh Border
7	Lunawada	2	143	Madhya Pradesh Border
8	Nadiad	2	181	Dahod
9	Palanpur	1	74	Rajasthan Border
10	Santrampur	5	286	Madhya Pradesh Border
11	Gandhinagar	14	985	277 Madhya Pradesh Border

				708 <i>Rajasthan Border</i>
	Total	55	403	

<i>Sr. No.</i>	<i>Destination Wise Summary</i>	
1	<i>Rajasthan Border</i>	1958
2	<i>Madhya Pradesh Border</i>	1371
3	<i>Internal</i>	710
	<i>Total</i>	4039

For carrying out the aforesaid relief operation, about 55 buses were made available to 10 districts as per their requirements and the entire operation was smoothly completed in less than 12 hours between 7.00 p.m. on 25.03.2020 and 6.00 a.m. on 26.03.2020.

4. *In addition to the aforesaid transport facilities, the above more than 4000 Daily Wagers / Labourers / Workers were also provided food packets with the help of NGOs.*

5. *For providing shelter for Urban homeless, the State has been rigorously implementing Deendayal Antyodaya Yojana – National Urban Livelihood Mission (DAY-NULM) of the Government of India as under:*

(a) *The said DAY-NULM aims at providing permanent shelter equipped with essential services to the urban homeless in a phased manner under the Scheme of Shelter for Urban Homeless (SUH).*

(b) *Scheme of Shelter for Urban Homeless (SUH) is*

implemented in all 8 Municipal Corporations and 30 'A' class and district head quarter Municipalities. (i.e. 38 cities)

(c) In the State, there are 91 Shelters having approx. capacity of 5500, which are operational in 38 Cities.

(d) As per the provision of the SUH guidelines, for all the shelters, a space of 50 square feet per person has been taken as the minimum space to be provided.

(e) The shelters are permanent, running throughout the year and open round the clock, with all basic facilities/amenities like well-ventilated rooms, water arrangements, adequate bathing & toilet facilities, standard lighting for shelter, first aid kit, common kitchen/cooking space, necessary utensils for cooking and serving, cooking gas connections etc. at the shelters for dignified living.

(f) To monitor Shelter homes daily in all Municipal Corporations, Nodal Officers not below the rank of Assistant Municipal Commissioner have been appointed, who have been instructed to provide sufficient sanitizers and other equipment which are needed to prevent CORONA Virus infections. Also, they were informed to maintain cleanliness and hygiene daily.

(g) Accordingly, all Municipal Corporations have provided Face masks and sufficient sanitizers to the Shelter Homes and tie up with various NGOs / Trusts to provide free food to the all inmates who are residing in the Shelter Homes.

(h) Details regarding supply of Face Masks, sanitizers and food to the inmates as on 25.03.2020, are as under:

No.	ULB	No. of Shelter	No. of Inmates	Raw Food Provided Persons	Cooked Food Provided Persons
1	Ahmedabad	25	511	117	394
2	Bhavnagar	4	27	0	27
3	Junagadh	3	47	0	32
4	Rajkot	5	199	0	199
5	Surat	28	390	0	390
6	Vadodra	6	93	0	93
7	30 Cities ('A' Class and District Head Quarter Municipalities)	20	185	46	163
	Total	91	1452	163	1298

(i) NGOs are also providing cooked food to the SUH inmates.

6. Following Municipal Corporations have roped in the below mentioned NGOs to provide packets of cooked meals to the homeless, beggars, and the persons who are living in a hand to mouth situation including daily wagers, construction workers, plumbers, carpenters, cobblers and other daily wagers who are doing odd jobs:

(a) Ahmedabad Municipal Corporation:

- Touch Stone Foundation
- Stri Shakti Trust

(b) Surat Municipal Corporation:

- *Seva Foundation*
- *Sahastrafana Charitable Trust*

(c) Vadodara Municipal Corporation:

- *Bhukh Mitavo Sanstha*
- *Jay Ambe Sanitary Mart*
- *Aadhar Foundation*
- *Madhuri Education Trust.*

(d) Rajkot Municipal Corporation:

- *Bol Bala Charitable Trust*
- *Ram Krushna Aashram*
- *Vishveshar Mahadev Ann Shketra*
- *Sadbhavna Vruddhashram*
- *Sitaram Ann Shketra*
- *Om Sai Charitable Trust*
- *Rani Ma Rudi Ma Ann Shketra*
-

(e) Bhavnagar Municipal Corporation:

- *Annpurna Foundations*
- *Axaypatra Foundation*
- *Sardar Yuva Group*

(f) Junagadh Municipal Corporation:

- *Satyam Seva Yuvak Mandal*
- *Baba Mitra Mandal*

7. *Social Defence Directorate under the Social Justice & Empowerment Department is taking various steps to mitigate the hardships to vulnerable groups of society including children without support, old age people and physically challenged (Divyangjan) and beggars, as discussed hereunder:*

- (a) *At present, 1170 children in need of care and protection are staying in 54 Child Care Institutes. Concerned officials are taking all care including providing medical support and also ensuring that COVID-19 does not spread amongst these Children.*
- (b) *138 Homes for physically challenged (Divyangjan) are in operation where 727 such persons are staying and all normal services are being provided to them including food and medical services. Social Defence staff is available there round the clock and prepared for all eventualities.*
- (c) *Beggar homes run by the Government have been kept operationalized and 285 (male & female separately) are staying in 5 such facilities in the State. Full care including clothes, food, medicines along with care takers are available there round the clock.*
- (d) *Old age people are being provided all possible help and 28 old age homes are running and keeping 1157 old age people and*

necessary staff providing full care to them.

(e) *Further, to mitigate the pecuniary hardships to old age people & Divyangjan (physically challenged), one month advance pension (for the month of April 2020) to beneficiaries of both the groups (covered under 4 different schemes) has been credited to their Bank accounts through Direct Benefit Transfer (DBT). A total amount of Rs. 155.50 Cr. has been released to 9.25 Lakh old age pensioners and 51385 Divyangjan (physically challenged) pensioners of the State.*

(f) *The staff of Social Defence Directorate under Social Justice & Empowerment Department of Government of Gujarat is available round the clock to these weaker sections of society including old people, beggars, children in need of care & protections & divyangjans (physically challenged) etc.*

8. *All Beggars, waste lifters, domestic servants (getting wage), sweepers, waste sweepers, gardeners, daily wagers, who are getting irregular wage etc. are included under the National Food Security Act, 2013, along with all Antyodaya Anna Yojana (AAY) Families and Priority House Hold (PHH) Families, which come to the tune of about 65.62 Lakh Ration Card Holders.*

9. *As on 26.03.2020, approximately 17,000 Fair Price Shops are working and distribution of March- 2020 is continuing. As of now, out of 65.62 Lakh Ration Card holders, distribution is over with reference to 52.44 Lakh Ration Card Holders i.e 80% and remaining distribution will be completed before 31st March. For ready reference, commodity wise distribution already effected, is as under: -*

Commodity	Allocation Qty (in MT)	Sale (in MT)	%
Wheat	1,20,808	98,648	81
Rice	51,198	41,797	81
Sugar	5,981	4,456	74
Salt	4,385	2,021	46
Daal	6,562	2,034	30

10. On 25.03.2020, the State Government has decided to distribute "Food Basket" free of Cost to all the Ration Card Holders for the month of April - 2020. The said Ration Card Holders are eligible for Wheat, Rice, Sugar and Salt as per their entitlement, free of cost for the month of April - 2020.

11. The State Government has also decided to give free of cost, 1 K.g Daal (Per Card) to all the Ration Card Holders for the month of April - 2020.

12. For destitute, home / family Less people and various other categories of similarly situated persons, who have no ration cards or any other documents, all Mamlatdars at Taluka level have been authorized to distribute 10 K.g (Per Person) food grains under "Annabrahmam Scheme" to the aforesaid people. The State Government has also decided to see that these beneficiaries are benefited for this Free of Cost scheme for the month of April - 2020, as per the arrangements made for other beneficiaries under National Food Security Act, 2013.

B. HEALTH & FAMILY WELFARE DEPARTMENT

Shri I.M.Kureshi, Joint Secretary, Health & Family Welfare Department, Sachivalaya, Gandhinagar filed Action Taken Report dated 27.03.2020 on behalf of the respondent State, which is reproduced hereunder:

“The present report is being submitted in the captioned proceedings, on behalf of the Health & Family Welfare Department in respect of the recent important developments and actions taken after the last date of hearing in the matter on 20.03.2020, in the State in the wake of the spread of Corona Virus. They are as under:

1. *So far there are total 44 Positive patients of COVID-19 in the State, out of which, 3 deaths have been reported and necessary details in this regard are as under:*

Sr.	District	Cases	Deaths
1	Ahmedabad	15	01
2	Surat	07	01
3	Vadodara	08	0
4	Gandhinagar	07	0
5	Rajkot	05	0
6	Kutch	01	0
7	Bhavnagar	01	01
	Total	44	03

2. *Global and national Situation of COVID-19 is as under:*

	World	India	Gujarat
Total Cases	414179	606	44
Total deaths	18440	13	03

3. *Entire Country is put under lockdown starting from 25.03.2020 to 14.04.2020 midnight by central government. All non-essential services such as shops, offices, factories, workshops will be completely closed. Only essential services will continue such as:*

- (a) *Essential commodities such as such as milk, vegetables, food items etc.*
- (b) *Drug stores, hospitals, laboratory drug manufacturing units, research centers*
- (c) *Animal food, animal drugs and hospitals*
- (d) *Internet and mobile services*
- (e) *Water, electricity and other essential services*
- (f) *Print, electronic and social Media channels*
- (g) *Insurance companies, Banks, Posts, Security etc.*
- (h) *Petrol Pumps etc.*

4. *To overcome COVID-19, a Purchase Committee to oversee procurement under chairmanship of Mr. Pankaj Joshi (ACS-FD) has been formed.*

5. *To facilitate implementation of COVID related activities, four senior officers have been stationed at regional level. Mr. Pankaj Kumar (ACS Revenue) will look after Ahmedabad & Gandhinagar region. Similarly, Dr. Vinod Rao PS Education (Vadodara), Mr. M.S. Patel Commissioner Municipalities (Surat) and Mr. Rahul Gupta*

Industries Commissioner (Rajkot & Bhavnagar) will look after respective zones.

6. *All passengers arriving at airport were screened as per the national guidelines and were put under home quarantine for 14 days. Additionally, all persons coming in contact with positive cases are being contact traced and put under home/government quarantine. All home quarantined people are visited daily for 14 days by FHW/MPHW or other health care workers.*

7. *If anyone is found to be violating home quarantine, they are put under facility quarantine with the help of competent authority. Total **223** quarantine facilities have been created with **12,059** beds available in these facilities.*

8. *House to house survey of entire state is being conducted through TeCHO+ app as per IDSP checklist. Any person found to have symptoms is put under quarantine. So far 2,70,04,392 people have been screened, out of that 26,764 persons have travel history observed and investigation is under progress for **67** persons whom signs of disease observed.*

9. *Four special COVID hospitals at Ahmedabad (1200 beds), Surat (500 beds), Vadodara (250 beds) and Rajkot (250 beds) are being operationalized.*

10. *Isolation facilities are being developed at every district- one in public sector and one in private sector, each of 50 bed capacity. Currently 1583 isolation beds in public facilities and 635 beds in private sector are available.*

11. Total 609 ventilators are available in public sector and approximately 1500 ventilators are available in private sector.

12. State government has notified reporting of any suspected case by any hospital (public, private, corporate, trust etc.) and all practitioners (private clinic doctors, AYUSH etc.) are also mandated to report such cases.

13. **Five** medical College Hospitals at Ahmedabad, Vadodara, Surat, Bhavnagar, Jamnagar and one private laboratory in Ahmedabad are certified for the **COVID Lab testing**.

14. Personal protective equipments and hand sanitizers are available in sufficient quantity. N-95 masks (**>45,000**), PPE kits (**>29,500**) and Triple layer masks (**> 6,00,000**) are available.

15. For creating community awareness and social distancing, the following measures have been taken:

- (a) Religious leaders, senior doctors and famous singers giving message e.g. Kinjal Dave, Dr. Bharat Bhagat etc. have been roped in
- (b) Total **20** Videos and **7** Radio jingles have been created
- (c) **15** state **+27** district channels are playing messages
- (d) **330** hoardings have been put up across the state
- (e) More than **500** advertisements have been published in newspapers (half + quarter page)
- (f) Proactive social messaging through various social media platforms like twitter, face book, YouTube channel etc. is being done

- (g) *More than 200 LCD and LED screens have been installed at railways stations*
- (h) *400 acrylic sign boards are placed at Sachivalaya.*

16. *Order for appointing region wise Nodal officers was issued on 20.03.2020, who will coordinate with the concerned District Collectors and Municipal Commissioners.*

17. *Considering the prevailing situation, General Administration Department (GAD) has issued order for making available the services of 8 IAS officers and 5 GAS officers to be helpful in this situation.*

18. *Home Department has issued an order on 17.03.2020 to appoint Nodal officers at Quarantine Centres for maintenance of law and order situation at such places and also for smooth functioning.*

19. *24x7 Helpline for Corona virus is made functional with phone no. 079-23250818 (health), 079-2325190 (SEOC) and E mail ID is ssoidsp@gmail.com. Whatsapp help line No. is +91 7433000104 while Health help line No. 104 is also functional for this purpose. Mr. Rajesh Manjhu IAS, Commissioner Transport has been entrusted with the functioning of these helplines and control room related services. 17,431 persons have availed of the services through the above help line and control room till 26.03.2020 (12.00 noon).*

20. *Special Purchase Committee has been constituted as per the Notification dated 21.03.2020 issued by Health & Family Welfare Department for making available required medicines, equipment and human resources.*

21. A Committee has been constituted as per the Notification dated 20.03.2020 issued by Health & Family Welfare Department to monitor the production, supply and availability of essential medicines, masks and hand sanitizers etc. in the State.

22. The State Government has issued a Notification for reporting of any suspected case of corona virus from all the private hospitals and laboratories as well as corporate / NGO run hospitals and private practitioners to the Collector in district or Municipal Commissioner in Municipal Corporations immediately.

23. To prevent the transmission of corona virus all services except essential services have been stopped/curtailed by the Health and Family Welfare Department in Ahmedabad, Surat, Vadodara and Rajkot according to the Notification dated 21.03.2020 and in Gandhinagar and Kutch District according to the Notification dated 22.03.2020.

24. A Notification has been issued on 23.03.2020 for the reporting and sample collection and active surveillance of patients having acute respiratory tract infection syndrome.

25. Education Department has issued a Notification on 24.03.2020 to all the schools for closure of schools as well as mass promotion of students.

26. General Administrative Department has issued a Notification on 25.03.2020 declaring holidays for the Government staff other than essential service related staff till 14.04.2020 in order to contain the spread of novel corona virus.

27. *As per the Notification issued by Home Department dated 25.03.2020, a complete lock down has been declared in the State till 14.04.2020.*

28. *As per the directives of Government of India, Civil supplies department has issued a circular for ensuring the supply and availability of all essential commodities.*

29. *As per the order of Health & Family Welfare Department dated 25.03.2020, District Collectors have been empowered / authorised to utilise the services of any Government / Panchromatic / local body employee and also to utilise the fund made available under NHM to the District Health Societies for the procurement of medicines, diagnostic kits and other consumables.*

30. *All the District Collectors in the State have been provided with funds ranging from 25 Lakhs to 2 Crs. for making available required requirements and human resources in the current situation of corona virus.”*

[C] FOOD SECURITY ALLOWANCE IN MID DAY MEAL SCHEME

“Recently the Novel Corona Virus has been declared Pandemic by the WHO. With reference to the same, in view of preventing spreading of the Novel CORONA Virus (COVID-19) and as a part of the proactive actions the Government of Gujarat had published notification directing all the Educational institutions run by the Central Government as well as State Government and Self financed schools and colleges to close academic work during the period from

16/03/2020 to 29/03/2020. Under the provision of Section-5(1)(b) of the National Food Security Act-2013 and Rule-3 of the Mid day Meal Rules-2015, the Mid day meal scheme is being implemented. Under the extra ordinary circumstances, the Government of India has vide letter No.-FNo.1/2/2020MDM (desk) dated 20/03/2020, advised to take decision to provide the Mid Day Meal or the food security allowance, whatever is possible in the present circumstances, under the Mid day Meals Scheme Rules-2015 to meet their nutrition requirement and immunity is safe guarded. In the recent circumstances of Novel CORONA Virus (COVID-19), the matter was under active consideration of the Government as to whether for the beneficiaries – students, to give them the Mid Day Meal or to pay them food security allowance.

After careful consideration, the State Government has, in pursuance of the rule-9 of the Midday Meal Scheme Rule-2015 and the Corrigendum Resolution of Education Department, dated 09/12/2019, according to which the rates of cooking costs are decided for the primary school children under Midday Meal Scheme for the year 2019-2020. And pursuant to the Notification of dated 15/03/2020 of the Education Department, Government of Gujarat which declare closing down of academic work during the period from 16/03/2020 to 29/03/2020. And under the circumstances if there is a requirement of keeping the same for more period, accordingly it is resolved to pay the below mentioned food security allowance to all the beneficiaries – students vide Government resolution of Education Department dated 23/03/2020 No.MDM-2020-GOI-9R. :

Standard	Cooking costs for each child paid by the Government of Gujarat	Volume of grains to be given for each child per day, as prescribed by the
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	<i>per day (in rupees)</i>	<i>Government of India</i>
<i>Standards 1 to 5</i>	<i>Rs.4.96</i>	<i>100 Grams</i>
<i>Standards 6 to 8</i>	<i>Rs.6.96</i>	<i>150 Grams</i>

The amount of cooking costs as mentioned in the above table and the grains will have to be given for each child on per day basis. The entire further procedure of this scheme will have to be ensured by the Commissioner, Midday Meal Scheme.

As per the Mid Day Meal Rule-2015, Total 5172288 children of Std 1 to 8 registered with all Govt. Primary schools, Grant-in-aid schools and Special Training programme centres run by SSA are entitled for Mid Day Meal "food security allowances".

Commissioner of Mid Day Meal has issued order of the grant to the district administration for the payment of food security allowances to the entitled students. And ordered to issue food grains as per the entitlement to the students from the stock available for the Mid Day Meal Scheme. It is as below.

Amount of the Cooking Cost :-

<i>STD</i>	<i>Number of students</i>	<i>Cooking cost per child per day</i>	<i>Total expenditure per day</i>	<i>11 Days (16/3/2020 to 29/03/2020)exp.</i>
<i>1 to 5</i>	<i>3215742</i>	<i>Rs 4.96</i>	<i>Rs 15950080/-</i>	<i>Rs 175450833/-</i>
<i>6 to 8</i>	<i>1956546</i>	<i>Rs 6.96</i>	<i>Rs 13617561/-</i>	<i>Rs 149793161/-</i>
<i>Total</i>	<i>5172288</i>	<i>-</i>	<i>-</i>	<i>Rs 325243994/-</i>

Quantity of food grain (in MT) :-

<i>STD</i>	<i>Number of students</i>	<i>Food grain per child per day(gms)</i>	<i>Total quantity (in MT) per day</i>	<i>for 11 Days (16/3/2020 to 29/03/2020)</i>

1 to 5	3215742	100 gm	321.5742	3536.5
6 to 8	1956546	150 gm	293.4819	3228.5

District Administration will deposit the amount of food security allowance in the account of the Head master/SMC of the primary schools. Head master/SMC will transfer the amount of food security allowances in the bank account of students/parents. For the food grains students/parents will produce the coupons issued by Head master/SMC to the Fair Price Shop of the same village.”

9 Learned Government Pleader also apprised the Court about steps taken and the developments regarding directions issued by the Supreme Court relating to the steps to be taken with regard to the prisoners in jail. The Director General of Police and Inspector General of Prisons, Gujarat State, Ahmedabad has filed comments, which is reproduced hereunder:

“We herewith submit our REPLY AND COMMENTS ON BEHALF OF RESPONDENT No-4 (The Director General of Police and Inspector General of Prisons, Gujarat State, Nr. Subhas Bridge, Ahmedabad) as under:-

01) it is humbly submitted that we have already taken up various steps to curb the spreading of Corona Virus (Covid-19) in Sabarmati Central Jail, Ahmedabad and other Jails of Gujarat State.

02) Moreover, we have issued the following directions to all the Jail Superintendent, Gujarat State to curb the spreading of Corona Virus (Covid-19)

- a) To produce the prisoners before the concerned Court of Law only through the video conference*
- b) It is mandatory to do medical screening of every incoming prisoner*
- c) To intimate the higher authority if there is any syndromes of flue or illness in any prison.*
- d) No interview or meeting with the prisoners by the friends and the family members*
- e) To procure all the necessary medical equipments and materials*
- f) To do cleaning, sanitization and other precautionary measures on regular basis within the compound*

*03) We have also intimated all the Superintendent of all jails in Gujarat State about the orders passed by the Hon'ble Supreme Court in respect of *Suo Motu Writ Petition (Civil) No-1 of 2020* and have issued the 14 points guidelines to control the effect of pandemic of Corona (Covid-19).*

04) We further submit that in Sabarmati Jail, we have already made availability of the mask and sanitizers in Jail premises for every prisoner. We have cleaned each and every yards and fogging the jail premises regularly, We have established isolation centre for prisoners who are suspected of any syndromes of flue and fever as a precautionary measure, prisoners distributed with Medical Kits to increase immune system for Jail inmates, established special checking points for jail inmates, sprayed Sodium Hypo Chloride Solution for sensitization We have started screening of Jail Staff also,

05) *We have already collected applications from prisoners who desirous to avail parole and furlough and made a special arrangement to dispose of the same at the earliest."*

10 The Member Secretary, Gujarat State Legal Services Authority, as required by the previous order dated 20.03.2020 has submitted the report highlighting the steps taken by the Gujarat State Legal Service Authority and the District Legal Service Authorities all over the State. The said report is reproduced hereunder:

**“SUMMARY OF VARIOUS ACTIVITIES CARRIED OUT BY DLSAs
UNDER THE AEGIS OF GUJARAT STATE LEGAL SERVICES
AUTHORITY AMID THE COVID-19 PANDEMIC (FROM 20.03.2020
TO 26.03.2020 (3.00 PM)**

□ *Consequent upon the directions issued by the Hon'ble High Court of Gujarat (Coram : Hon'ble the Chief Justice Mr. Vikram Nath and Hon'ble Mr. Justice Ashutosh J. Shashtri) in Writ Petition (PIL) No.42/2020, on 20.03.2020, under the aegis of Gujarat State Legal Services Authority, various District Legal Services Authorities (DLSAs) and Taluka Legal Services Committees (TLSCs) have organized different programmes to raise awareness for prevention of and for protection from Novel Corona Virus i.e. COVID-19. The Major programmes are mentioned hereunder.*

1) **DLSA Ahmedabad (Rural) has :**

- Ayurvedic Ukala Vitaran at District Court Building amongst Staff Members - Judges - Advocates - Police Personnel etc. with the help of Ahmedabad District Bar Association. “*
- Organized Door to Door campaign at Lambha and Bareja village and distributed pamphlets to raise awareness amongst marginalized people of society - spreading awareness regarding hygiene for protection from Corona Virus.*
- Mask distributed amongst Senior Citizens at Old Age Home Bavla by PLV Hardik Solanki By TLSC Bavla - Dist. Ahmedabad (Rural).*
- Raised awareness by affixing stickers about Covid-19 with the help of Health Department.*

2) DLSA Anand has :

- Pamphlets distributed at Borsad Court for staff, advocates and parties by TLSC Borsad.*
- Mask distributed amongst local public, commuters, police personnel and at sub jail Borsad.*
- With the help of Shruti Charitable Trust, distributed Homeopathic Medicine amongst Judicial Officers, Advocates and Staff Members.*
- Distributed Masks to the Police personnel, staff of Mamlatdar Office and Taluka Panchayat of Sojitra Taluka by PLV of TLSC, Sojitra.*

3) DLSA Bharuch has :

- Distributed Ayurvedic Medicinal Brew, Homeopathic Medicines and pamphlets for prevention of Corona Virus infection @ District Court Complex.*

- *Distributed pamphlets and created awareness for prevention of Corona Virus Pandemic amongst the street hawkers who come in maximum public contact, near Dr. Babasaheb Ambedkar Statue in Bharuch.*
- *Distributed masks and pamphlets in old age home, near kasak circle, Bharuch.*
- *Distributed pamphlets to travelers who are more vulnerable to spread of Corona Virus @ ticket counter and platforms at Bharuch Railway Station.*
- *Around 650 Food packet distributed to homeless people in Ankleshwar Taluka of Bharuch District.*
- *Food packet distributed by (1) DLSA, Bharuch (2) TLSC, Ankleshwar, (3) TLSC Valia, (4) TLSC Vagra (5) TLSC, Jhagadiya, functioning under DLSA, Bharuch.*
- *Wash basins were placed at the entrance of courts functioning at District & Taluka Courts. (Amod Court, Ankleshwar Court, Hansot Court, Jhagadiya Court, Netrang Court, Vagra Court).*
- *Door to door pamphlets distributed by TLSC Jhagadiya, Hansot, Bharuch and TLSC Netrang.*

4) **DLSA Bhavnagar has :**

- *Court rooms and staff rooms have been sanitized and hand sanitizer is made available at the entrance in co-ordination with the Bar Association and made it compulsory for all the visitors to sanitize their hands.*

5) **DLSA Dahod has :**

- *District Court Dahod, as a part of precautionary measure, has prohibited the public entry in the Court campus till 31 March, 2020 and pamphlets were distributed by the advocates and policemen for*

raising awareness of Covid-19 amongst the litigants and general public. (also at taluka places viz. Devgadh Baria, Garbada, Zalod and in Sub Jail also)

- Ayurvedic Medicinal Brew distributed in District court Dahod by DLSA Dahod.*
- Organized Door-to-Door campaign and distributed pamphlets for raising awareness by TLSC, Jhalod, Fatepura, Garbada, Devgadh Baria and DLSA, Dahod.*

6) DLSA Gandhinagar has :

- To inform all the litigants with the fact that, matters will not be conducted in the courts of the district of Gandhinagar (including taluka places i.e. Kalol/Mansa/Dehgam) except for urgent bail applications, remand applications as well as interim applications and trial in other cases are postponed for three weeks, DLSA Gandhinagar has requested the Municipal Commissioner, Gandhinagar to broadcast the message on LCD Screen placed at various cross roads, as well as requested Information Officer to broadcast the same in every news channels and in the same line, all radio stations are also requested to spread this information through audio clip.*

- Efforts were made to sanitize the District Court Campus.*
- Distributed Food Packets, Biscuits and dry nashta in slum areas through PLVs of DLSA Gandhinagar.*

7) DLSA Jamnagar has :

- Pamphlets published and distributed to spread awareness.*
- Placed Wash Basins at entrance gate of courts with liquid soap.*

- Provided 100 Mask and 5 bottles (500 ml each) to Jail Authority for Jail Inmates, in co-ordination with the Jain Education Trust and Radhika Educare School.*
- Contacted Indian Red Cross Society and as the said Society has shown willingness to give blood as and when required, published banner and raise awareness about the same.*

8) DLSA Kachchh @ Bhuj has organized :

- The court compound sanitized as preventive steps for corona & banners affixed on public place in court premises at Bhuj.*
- Food Packets Distributed for the workers of Railway and those who are in need in this situation of Lockdown.*
- Free food services were provided to the poor and labourers with the cooperation of Lok Seva Sarvajanik Trust, Bhootnath Trust and Office of Bhuj Nagarpalika.*
- Distributed Sweets collecting from the sweet shops amongst the poor people through PLV, in co-ordination with the Merchant Association, Bhuj.*

9) DLSA Kheda @ Nadiad has :

- Distributed Homeopathy Medicine by DLSA Kheda @ Nadiad and TLSC, Mahemdabad.*
- Door to door campaign is carried out for distribution of pamphlets for raising awareness for prevention of Corona Virus (Covid19) at various taluka places i.e. Dakor, Kheda, Matar, Nadiad, in co-ordination with the Health Department.*
- Distributed Medicinal Herbal Brew (Ukala) at District Jail, Bilodra.*

10) DLSA Mehsana has :

- *Organized a camp of Ayurvedic Ukala for Corona, with the help of District Aaurvedik Officer, District Panchayat Mehsana as suggested by Aayush Department of Government of Gujarat.*
- *The Judicial Officers, Advocates, Staff Members and litigants were permitted to enter in court premises after checking their body temperature through temperature gun.*
- *All the Judicial Officers, Advocates, Staff Members and litigants are requested to maintain safe distance and to use sanitizer.*
- *Press note released regarding programme of Ayurvedic Ukala Camp by DLSA Mahesana with the help of Ayurvedic Department, Mahesana.*

11) DLSA Ahmedabad (Rural) has :

- *Ayurvedic Ukala Vitaran at District Court Building amongst Staff Members - Judges - Advocates - Police Personnel etc. with the help of Ahmedabad District Bar Association.*

12) DLSA Morbi has :

- *The Chairman and Principal District Judge, Morbi District has called a press conference and informed that the only matters of urgent nature will be entertained and no strict actions shall be taken against the parties for not attending the court proceedings.*
- *Masks were distributed to the Advocates & Parties by the Chairman and Principal District Judge, Morbi District with the support of Bar Association.*

13) DLSA Panchmahal @ Godhra has :

- Awareness and health check up programme regarding Corona virus was organized in co-ordination with the doctors of health department at Sub-jail Godhra, Dist. Panchmahals.

14) **DLSA Patan has :**

- Body temperature Judges, Staff, Advocates and litigants were checked through temperature gun. Two persons who having temperature more than 38 Celsius were moved to Civil Hospital for treatment.
- Door to door campaign was arranged by DLSA Patan for raising awareness to prevent Corona amongst the local public.
- Masks distributed at old age home by TLSC Siddhpur.
- Suggested to District Administration to issue direction to maintain social distancing at provision stores, which was accepted and necessary order were issued.
- Distributed food packets amongst needy people.
- Co-ordinated with the Sevantil Kantilal Blood Bank managed by Rotary Club and they have shown their willingness to give blood for Thalassemia/Hemophilia patients, free of charge.
- Distributed Masks an hand wash at Bhikshuk Gruh, Patan.

15) **DLSA Porbandar has :**

- More than 400 needy and poor people were served with Khichadi and Butter Milk by DLSA Porbandar.

16) **DLSA Rajkot has :**

- The District Court Rajkot, as per the guidelines and directions issued by Hon'ble High Court and Hon'ble Supreme Court, has prohibited the public entry in the Court campus till 31 March, 2020.

- *TLSC Dhoraji arranged a Medical Checkup camp for the officers and staff by Medical Officer of Government Hospital.*
- *TLSC, Dhoraji distributed mask to the officers, staff and advocates of Dhoraji Court.*
- *Mask, Sanitizer and Homeopathy medicine were distributed at Matruchhaya Old Age Home, Ratanpar, Rajkot.*
- *Awareness Programme for preventive measures of COVID-19 and medical checkup and mask distribution program for jail inmates of Dhoraji jail was organized by TLSC, Dhoraji.*
- *Arranged for Food for the homeless persons, poor, downtrodden at footpath and relatives of patients in civil Hospital, Rajkot in collaboration with BOLBALA charitable Trust.*
- *It is made compulsory for all entrants of District Court premises to sanitize their hands to maintain hygiene through providing hand sanitizer.*
- *All the entrants were allowed to enter the court premises after checking the body temperature through temperature gun.*

17) **DLSA Surat has :**

- *Distributed pamphlets for prevention of Corona (Covid19) amongst the local public.*
- *Distributed Hot Ayurvedic UKALA to increase immunity in the District Court Premises, Surat.*
- *The District Court Premises Surat and Taluka Court, Palsana sanitized.*
- *It is made compulsory for all entrants at the gate of District Court premises to sanitize their hands.*
- *Total 550 masks distributed to needy people and people who are living in slum area. (Abrama - Mota varachha-Utran-Amroli-katargam-chowk).*

- Distributed Food Packets, Biscuits and dry snacks to poor and needy people.*

18) **DLSA Surendranagar has :**

- Distributed food packet containing snacks, Parle Biscuits and Khichdi in slum areas through TLSC, Patdi.*

19) **DLSA Vadodara has :**

- Distributed food packet with the help of PLV Shri Matinkhan and NGO.*
- It is made compulsory for all entrants of District Court premises to sanitize their hands to maintain hygiene through providing hand sanitizer.*
- Food packets Distributed by TLSC Waghdia.*
- Distributed more than 500 food packets (approx.) at Slum Areas near Varsiya Police Station.*
- Distributed Food Packets at various places i.e. Navayard, Ashapuri, Aman Nagar, Ahmadraza Nagar etc.*

20) **DLSA Valsad has :**

- Distributed pamphlets for raising awareness amongst common people by TLSC, Dharampur, TLSC, Umbargaon.*
- Over and above the programs mentioned hereinabove, all the DLSAs across the state and TLSCs functioning thereunder, have organized similar kind of programs to raise awareness amongst the general public to maintain hygiene and to maintain social distancing for prevention and protection from COVID-19 and also making all the efforts to be helpful to the needy people in the situation of Lockdown of 21 days by providing food.*

- *All the DLSAs and TLSCs also making all efforts to raise awareness to maintain the Lockdown and not to come out from home, except any emergency."*

11 From the above, what is apparent is that a large number of directions sought in respective petitions and application taken up today, as recorded in the initial part of the order already stand complied with or being considered by the State Government as per various reports placed before us and incorporated in this order. However, still we grant a week's time to the State Government to respond to all or any of the unattended reliefs claimed by the petitioners.

11.1 One of the petitions viz. Writ Petition (PIL) No.50 2020 relating to providing Personal Protection Equipments (PPE) to all medical officers, para-medical staff, nurses, ward boys and all concerned dealing with patients suspected of or infected with Corona Virus. In response, learned Advocate General stated that the State has already provided complete protection, in full gear to all such staff directly coming into contact with such patients. He has further assured that there would be no laxity in taking care of the attending staff as otherwise, the State itself would be promoting the spread of Corona Virus. According to him all the precautionary measures are being taken

before allowing any of the staff to interact with such patients.

11.2 Shri Sikander Saiyed, learned counsel for the petitioner in Writ Petition (PIL) No.48 of 2020 made submissions in the light of the reliefs claimed relating to involvement of members of the civil society voluntarily offering their services. Shri Trivedi, learned Advocate General submitted that as of date the State is equipped with sufficient manpower to cater to the crisis. He further submitted that as and when the need arises or it is felt by the State that some help from the civil societies / NGOs and other private organizations is required, the same would be considered and appropriate guidelines for the same would be framed.

11.3 Shri Anshin Desai, learned Senior Advocate assisted by Shri K.M.Koshti, learned advocate appearing in Civil Application No.2 of 2020 in Writ petition (PIL) No.42 of 2020 vehemently submitted pressing his relief Nos. [F] & [G] relating direction to the elected representatives right from the level of Gram Sarpanch to the Members of Parliament to attend and oversee the measures being taken by the State, personally in their respective areas of operation. We are afraid that such direction can be issued as we are of the firm view that it is the moral duty of the elected representatives of all class to serve their respective electorates in their respective areas subject to the restrictions

imposed as per the notification of the Lockdown. We leave it to their conscience to take such measures as they deem fit, but in no case we are inclined to issue such direction.

11.4 Shri Acharya, learned advocate appearing in Writ Petition (PIL) No.51 of 2020 submitted that cess fund and also fund of Rs.52 Crores lying under the head of “Construction Workers Welfare Fund Account” collected from the contractors may be utilized by the Central or State Government and appropriate directions in this regard may be issued by this Court. As we are already conscious of the fact and take public knowledge of the fact that the Central Government and the State of Gujarat have already allocated substantial funds to cater to the needs of the present crisis. It is the discretion of the respective Governments to utilize whatever fund that may be available in reserve to utilize and it would not be appropriate for this Court to issue any such direction at this time when there is already sufficient funds and no paucity of the same is reported.

12 We further take note of the fact that a large number of applications are being filed by the parties in person or through their lawyers praying for extension of the interim orders already granted not only before the High Court, but also before the District Courts and other courts and Tribunals subordinate to the High Court under its

supervision. There is also a rush in approaching the High Court as also subordinate court for interim protection against eviction, demolition, or dispossession in view of orders passed by Courts or Authorities. In order to avoid filing of such applications which involve movement of the parties, their lawyers, typists and all other concerned and also to do justice with the parties, who are unable to take such steps, we deem it proper, following few other High Courts viz. Allahabad High Court, Bombay High Court, Calcutta High Court, Kerala High Court and Madras High Court, to issue following directions:-

- [i] All interim orders passed by the Gujarat High Court as well as all the District Courts, Civil Courts, Family Courts, Labour Courts, Industrial Tribunals and all other Tribunals in the State over which this Court has power of superintendence, which have expired on or after 19th March, 2020 or are due to expire on or before 30th April, 2020, will continue to operate upto 15th June, 2020. We, however, make it clear that those interim orders which are not of a limited duration and are to operate till further orders will remain unaffected;

- [ii] If the Criminal Courts in the State have granted bail orders or anticipatory bail for a limited period which are likely to expire on or before 30th April, 2020, the said orders will stand extended for a

period of one month from today;

[iii] If any orders of eviction, dispossession or demolition are already passed by the High Court, District or Civil Courts, the same shall remain in abeyance till 30th April, 2020;

[iv] Considering the fact that it will be practically impossible for the citizens to approach the Courts for redressal of their grievances for a period of twenty-one days specified in the order of the Ministry of Home Affairs dated 24th March 2020, we sincerely hope that the State Government, Municipal Authorities and the agencies and instrumentalities of the State Government will be slow in taking action of demolition and eviction of persons.

[v] This order be published in the official website of this Court. A softcopy of this order shall be sent to all concerned Courts and Tribunals; the learned Advocate General; the learned Additional Solicitor General of India; the learned Assistant Solicitor General of India; State Public Prosecutor and the Chairman of Bar Council of Gujarat.

13 We are also conscious of the fact that a large number of petitions / applications are being moved not only before the High Court,

but also the District Courts for grant of anticipatory bails. We cannot issue a blanket order restraining the State / Police Department not to make any arrest in heinous crimes or all other non-heinous crimes, but at the same time, we are of the view that in case any arrest is made during this period and the accused is lodged in a particular jail without ascertaining whether such accused being taken into custody is clean or is a suspect or infected with the Corona Virus, lodging him into jail where already hundreds and thousands of under trial or convicts are lodged, it would be an imminent peril to all the inmates of the particular jail where any new entry suspected or infected of the Corona Virus is introduced. It may result into disastrous situation where large number of inmates inside the jail may be infected thus defeating the social distancing and the extraordinary measures being taken for control and check of the Corona Virus. Therefore, it would be appropriate to direct the Department of Home, Government of Gujarat to consider this aspect and issue necessary circular / instructions to all the Superintendents of Police / Commissioners of Police throughout the State to ensure that before any accused is arrested and sent to jail, it is confirmed that he is not a suspect or infected with Corona Virus. It is only after such confirmation that an accused be lodged in a particular jail, otherwise the same be avoided for the period of crisis.

Let all these matters be now listed on 03.04.2020. To be taken at 11.00 a.m. through videoconference.

(VIKRAM NATH, CJ)

(ASHUTOSH J. SHASTRI, J)

P. SUBRAHMANYAM