

To,

The Hon'ble Chief Justice

High Court of Judicature at Allahabad

Subject- Regarding alarming situation at District Meerut

Sir,

1. That the present letter is being posted in public interest inter-alia for an action of judicial redress for public welfare to put the judicial machinery in motion with respect to the current situation in District- Meerut due to the outbreak of Corona Virus or COVID-19 and further proposing some data for formulating robust and comprehensive measures which can be taken to flatten the curve and spread awareness among public with regard to corona virus disease and prevent the further outbreak of COVID-19.
2. That it is categorically stated that the result of the present letter will not lead to any undue gain to us or any one associated with us or any undue loss to any person, body of persons or the State or the Central Government or their instrumentalities.
3. The source of information of the facts pleaded by me in the present scenario of lockdown are various news articles, media reporting, various statistics published by the Government and its instrumentalities and the research made by some scientists around the world regarding the nature of COVID-19 and its global impact, further, various measures that have successfully helped a few countries in combating the spread of COVID-19.

4. That it is pertinent to mention here that till date i.e. 22.5.2020 are 358. number of Patients have been tested positive with COVID-19 and out them total active patients are 176 in number with 21 deaths.
5. That according to a report of a survey conducted by Amar Ujala a prestigious newspaper dated 14.05.2020 it is evident that the city of Meerut has the highest death rate as compared to the other cities which happens to be in the Red Zone so decayed by the Government of U.P. such as Agra, Kanpur Nagar , Lucknow and Gautam Budh Nagar. Moreover, the above report also points out that the District Meerut records lowest recovery rate i.e. 27.48 % and highest mortality rate of 5.34% which is far above the national mortality rate which is around 3%. The copy of the survey report conducted by Amar Ujala dated 14.05.2020 is being filed herewith and marked as **ANNEXURE-1**.
6. That on bare perusal of the report dated 14.05.2020 it is abundantly clear that situation at District Meerut is more critical, grievous and sensitive which requires special care and measures which are to be taken to prevent the further outbreak of COVID-19. Moreover, the above report also points out that the District records lowest recovery rate i.e. 27.48 % and highest mortality rate of 5.34% which is far above the national mortality rate which is around 3%.
7. That according to the report dated 16.05.2020 published by the State Control Room, Integrated Disease Surveillance Program Vector Borne Disease Division, Director of Health Services, Uttar Pradesh Lucknow which states that on 16.05.2020 itself 27 new patients were found positive, the total number of cases in the city of Meerut are 322 out of which only 95 patients were discharged and 18 died with total number of 209 active cases. This data is shocking as the recovery rate of District Meerut is 29.5% whereas the state of U.P. has 57.15% and India has 38.84% also, the mortality rate of District

Meerut is 5.59 % whereas the State of U.P. has mortality rate of 2.43 % and India has morality rate of 3.13 %. The Copy of the report dated 16.05.2020 is being filed herewith and marked as **ANNEXURE-2**.

8. That above stats shows that the city of Meerut and its administration has failed in combating and taking appropriate measures to curb the spread of COVID-19, which makes it necessary that a special mechanism has to be formulated under the direct monitoring and supervision of the judiciary so that effective and quick measures and implementation of the guidelines can be made effective and operative in the District- Meerut.
9. That the petitioner humbly submits that his intention behind this petition is not to block or to create any kind of friction in working of the government's machinery in these tough times but the above stated statistics and declaration of the District as containment zone has created a state of fear and panic in general public and it can be deduced that the local administration has failed to take appropriate steps and is clueless about the appropriate measures to be taken and have further failed to spread public awareness.
10. That it is pertinent to mention here that every day news is being published regarding lockdown violations and administrative failures in daily newspapers, the newspaper cuttings of incidents so reported throughout lockdown from April till 19.05.2020 are being filed herewith and marked as **ANNEXURE. NO-3**.
11. That the above newspaper reporting clearly demonstrates the regular and repetitive lockdown violations, the incidents such as smuggling of alcohol, failure of administration in getting the markets closed in hotspot and ultrasensitive areas and regular violation of social distancing norms were reported throughout the timeline particularly in some specific areas like Jail Kothi and Khair Nagar, mismanagement and failure of administration at

vegetable market of Naveen Mandi, incidents of stone pelting and government officials being injured, inhumane condition at quarantine centers and people going on strike at such centers; such condition and regular violation creates a situation of panic and makes the city vulnerable to community transmission on mass scale.

12. That it can be prima facie inferred that the city administration has failed in implementing the guidelines and advisories issued by the Government and its instrumentalities in entirety.
13. That it is noteworthy to mention here that the city of Meerut is at an advanced stage of spread of COVID-19 as various incidences have been reported of community transmission and the daily count of Positive COVID-19 patients is of more than 20 per day and also the nearby districts like Ghaziabad and Noida have high rise of positive COVID-19 cases per day, imposing a threat to the whole region.
14. That it is noteworthy to mention here that according to a report dated 18.04.2020 so formulated by the Addn'l Chief Secretary, Home, Government of Uttar Pradesh regarding the state of law and order and outbreak of the virus, the position of District- Meerut was found unsatisfactory with maximum number of lockdown violations, when the no. of COVID-19 positive cases were only 54 and even now after lapse of more than a month there is no improvement in the situation and the administration has failed in controlling the situation. The copy of the report dated 18.04.2020 is being filed herewith and marked as **ANNEXURE. NO - 4.**
15. That the outbreak in the city is such that the police officials and the people detained in the police or judicial custody are being diagnosed as COVID-19 positive, such incidents were regularly reported in the month of May which clearly shows the magnitude of the outbreak and requires the judicial

intervention in the city of Meerut otherwise the city is under an immense threat and if the situation continues like this than the law and order can come to stand still which can cause and may lead to violation of Fundamental Rights of the citizens of Meerut, so given by the Constitution of India, 1950. The copy of the newspaper reporting dated 14.04.2020, 11.05.2020, 12.05.2020 and 18.05.2020 are being annexed herewith and marked as **ANNEXURE NO.5.**

16. That it is pertinent to mention here that COVID-19 has spread havoc all across the globe, the virus is highly contagious in nature and is basically transmitted through person to person contact and also spreads through surfaces, as per the latest studies and research about COVID-19 has revealed that production and distribution of vaccine at mass scale or any other alternate treatment may require a considerable amount of time and we humans have to learn to live with this virus.
17. That it is further stated that certain South- Asian countries like Taiwan, South- Korean and Singapore have adopted various effective measures to tackle COVID-19 and the above nations have been able to effectively curtail the spread of COVID-19. The copy of the articles being annexed herewith and marked as **ANNEXURE NO.6.**
18. That the above stated countries opted various effective preventive measures to tackle COVID-19 wherein protective equipment like masks, PEP kits, sanitizers were made available to public at large and health care workers in adequate quantities; proper marking of hotspots and quarantine centers were done by the government agencies and people were advised to stay away from hot spots and quarantine centers all quarantine centers were established away from densely populated areas, basic infection prevention measures were made available to all the institutions whether public or private and COVID-

19 tests were made available to every health care institution in these countries to promote mass testing.

19. That it is further stated that South-Korea suffered from massive COVID-19 outbreak in beginning and had around 5000 positive corona virus cases but the Korean administration had learned its lessons from previous outbreak of SARS & MERZ virus and thereby South Korea, in order to promote mass testing manufactured testing booths as a low cost and effective measures and by better inter- agency coordination, effective contact tracing of infected persons and by spreading public awareness South-Korea was able to curb outbreak of Corona Virus.
20. That it is noteworthy to mention here that the State of Kerala also installed testing booths and promoted mass testing extensively which gave exemplary results and helped the State of Kerala in controlling the outbreak at a significant level. The copy of a news cutting of State of Kerala is being filed herewith and marked as **ANNEXURE NO-7**.
21. That it is stated that no health care services were being extended to patients due to national lockdown which resulted in deaths of patients from various other factors and curable diseases in order to extend health care services on mass scale some private medical institutions/testing labs in district Meerut should be allowed to operate their applications for operation can be screened and decided online based on their geographical location, availability of infrastructure and reputation in the market.
22. That in order to efficiently curb the outbreak of the pandemic COVID-19 on perusal certain trends followed by some countries and according to various research and studies available some guidelines can be formulated and may be considered by this Hon'ble Court.

23. That by virtue of data available at hand it can be ascertained that no health care services were being provided to patients by private medical institutions which resulted in deaths of patients from other diseases and reasons because of the state of confusion and no clarity being provided to the private medical institutions regarding their functioning by the local administration and sealing of private hospitals was also done if any COVID-19 positive patient was found in the hospital. Therefore, it is necessary to allow 40% - 50% of the private medical institutions and labs to operate for improving public health, the applications to operate can be screened and decided online by a Committee or any agency so formulated for this purpose. The copy of the newspaper reporting dated 25.04.2020, 01.05.2020, 10.05.2020 and 12.05.2020 are being filed herewith and marked as **ANNEXURE.NO-8**.
24. That the medical institutions which are to be opened shall be located away from the densely populated areas.
25. That the regular updates regarding diagnosed corona patients, high risk areas, containment zones should be provided to all the hospitals weather private or government through online medium so that rapid action can be taken and due precautions can be observed by Medical institutions while dealing any patient who is from any containment or ultra-sensitive area.
26. That adequate number of PPE kits shall be provided to every medical institution and it has to be ensured that every medical institution which is allowed to operate shall have minimum number of PPE kits.
27. That establishment of more testing labs are of utmost importance in the city of Meerut to promote mass testing, as per the data available on Arogya Setu App the city of Noida has four ICMR(Indian Council of Medical Research) approved private testing labs and unfortunately the city of Meerut has only

one testing lab that too in Government Medical College, Meerut and the results of that lab even are inconclusive.

28. That it is further stated that the medical facilities and infrastructure available at Subharti Medical College, Mulayam Singh Yadav Medical College and some private laboratories at aptly equipped can be availed to do effective and speedy testing of the samples.
29. That it is further stated that the district administration has failed to set up an effective medium of communication neither information regarding containment zones and high-risk areas is made available to public or on any electronic platform. Moreover, no information is also made available to the citizens when the status of any Hot- spot area in the district changes with which clearly indicates that the local administration has failed to create public awareness. The district administration further failed to effectively use the digital resources available at hand as the web page of district Meerut formulated by Government of Uttar Pradesh having web address <https://meerut.nic.in> has no information regarding COVID-19 status of the city and high risks areas when the city has reached the level community transmission. That it is prima facie visible that the district administration has failed to use electronic medium as an effective mode of communication. It is also stated that in South Korea or places where people have successfully combatted COVID even grocery stores and shops and places were marked and bifurcated into COVID free and High-risk zones physically and on digital platform like applications and official websites. The copy of the screenshot of the web page of web page of district Meerut is being filed herewith and marked as **ANNEXURE NO. 9**.
30. That it is also stated that Lala Lajpat Rai Medical College, Meerut also has many medical institutions in the nearby vicinity like Anand hospital ,

Nuetema which are noted health care institutions of the city, so a dedicated COVID Treatment Zone on a temporary basis could have been established in that area to achieve the goal of flattening the curve.

31. That working and administration of Lala Lajpat Rai Medical College, Meerut has been under scanner in light of recent events that the principal of Meerut medical college was also relieved from his duties. An analysis of resources available at LLRM should be done at the earliest and adequate amount of PPE kits and protective gear should be made available to working health care personnel; there are reports of misappropriation of funds and PPE kits at the medical college but in this tough times it is not possible to file an application under R.T.I. Act, 2005 and get the information but few paper cuttings are available. The copy of the news reports about mismanagement at Lala Lajpat Rai Medical College, Meerut dated 11.04.2020, 02.05.2020, 10.05.2020, 13.05.2020 and 15.05.2020 are being annexed herewith and marked as **ANNEXURE NO. 10.**
32. That it is also pertinent to mention here that the Naveen Mandi (which happens to be the only whole sale vegetable market) incident was a considerable factor in increase of the number of COVID-19 patients in the district. Moreover, as per reports a new temporary mandi is being established at Jagriti Vihar but reports of frequent violations of social distancing norms are still being reported which signifies the complete failure of the administration. The current site plan of temporary mandi should be reviewed and new plan and measures to be devised preferably on the lines of the State of Manipur so as to promote social distancing. The copies of the news reports regarding pathetic condition at Mandi are being filed herewith and marked as **ANNEXURE NO. 11.**

33. That escaping of COVID-19 patients from quarantine facilities and likewise incidences of gross negligence on the part of the administrative authorities which has to be taken care with great caution.
34. That adequate security measures and surveillance appliances should be installed to provide a secure work environment to Health Care Workers (HCW). Moreover, as per latest guidelines as issued by the government Buddy system as recommended for HCW should be strictly adhered to and effective implementation of the same be done to boost confidence of HCW. The copy of the guidelines dated 15.05.2020 are being filed herewith and marked as **ANNEXURE-12**.
35. That it is further stated that no efforts have been made to strategically made effective quarantine centers and no information about quarantine centers is being made available through any medium. For strategical advantage quarantine centers should be made away from densely populated areas to the contrary in the city of Meerut maximum of the quarantine centers are made at the heart of the city.
36. That it is noteworthy to state that various complaints have been reported of in humane treatment being given to the people and lack of basic facilities available at these centers. The copy of the newspaper reporting dated 18.05.2020 and 19.05.2020 is being filed herewith and marked as **ANNEXURE NO.13**.
37. That it is also pertinent to mention here that in wake of new guidelines issued by MHA with regard to home quarantine, the current situation prevailing in Meerut are not up to the mark. The copy of the guideline dated 16.5.2020 is being filed herewith and marked as **ANNEXURE NO.14**.
38. That several reports have been published stating therein that the city of Meerut has reached the alarming level of community transmission and some

strict measure are to be taken at the earliest. The copy of the news reporting dated 07.05.2020, 15.05.2020 and 19.05.2020 is being filed herewith and marked as **ANNEXURE NO.15.**

39. That it is of utmost importance that digital and improvised measures including use of Aarogya Setu app on mass scale should be adopted to track progress of people in Home Quarantines.
40. That it should be ensured that sanitization drives should be done on regular basis keeping in mind the gravity of outbreak of COVID-19 in Meerut.
41. That it is also pertinent to mention here that as per issued guidelines the Covid-19 Care Centre for districts are to be categorized into three categories i.e. L1, L2 and L3 of which no information is made public till date. The admission of Covid-19 patients in above category of Covid Care Centers shall be based on the symptoms and stage of the patients. The copy guidelines dated 12.05.2020 regarding COVID Care Centre is being filed herewith and marked as **ANNEXURE NO.16.**
42. That it is further stated that the world scientists have asserted the importance of mass level testing wherein countries like South Korea and Taiwan have successfully controlled the spread of Covid-19 and have successfully flattened the curve.
43. That the State of Kerala is a great example before us where the testing booths have been installed to initiate mass level testing. It is also pertinent to note that the costing of these booth is around Rs. 40,000/- to Rs. 50,000/- only. The installation of these booth has drastically speeded up the testing process and are even cost effective as the HCW does not require PPE kits while conducting test in a testing booth; thereby making it cost effective also.

44. That the Local administration has further failed to deploy an effective think tank to tackle the task at hand and has failed to make use of the provisions of Disaster Management Act, 2005. That it is further stated in spite of the above facts the district administration has utterly failed to read the true picture and assess the real threat as posed by corona virus at district Meerut and is cluelessly implementing the guidelines of lockdown 4.0 as released by the government without analyzing that the previous guidelines of lockdown were not implemented properly and the district records alarming number of cases. Despite that the local administration allowed markets to open, though partially and e-commerce companies are being allowed to operate and restaurants are allowed to do Home Delivery when district Meerut is still standing on a critical juncture and for some more time serious measures are to be adopted so that the chain of transmission is broken. A copy of orders of D.M for opening various services are annexed with this letter in another attachment to this email.
45. That the petitioner humbly submits that the region of Meerut, Ghaziabad and Noida are under immense threat whereby any effective measures can be of extreme help to provide better health care situation of the citizens of above-mentioned area.
46. That it is further stated that the situation in the city of Meerut is not idle and serious scrutiny of security forces should also be done as several police personal have been diagnosed as covid positive. Moreover, many incidents of clashes were reported where police personal were instructed to take necessary measures to quarantine Tablighi Jamat and had to face great opposition and stone pelting from the locals. Therefore, it becomes a serious issue of concern when the auspicious festival of EID is just around the corner and the frequent news of corona virus being spread in police department

imposes a serious threat and has to be addressed immediately by deployment of more force in the Districts.

47. That proper instructions have to be given to the newspapers to publish authentic news in consultation with the local administration and a specific column has to be dedicated to the statistics, mitigation measures, information about hotspot areas, containment areas, high risk zones and other relevant information necessary for creating public awareness.
48. That it has to be understood by everyone in the present times we are living in a War situation and it is the need of the mankind that effective, adequate and quick measures are to be taken by the administration, otherwise the life of the citizens of Meerut will be at the risk of highest level. It is undisputed that the outbreak of the virus is global but it has to be considered that the statistics of District Meerut are alarming and are to be addressed at the earliest.
49. That the whole world in combatting the outbreak of Covid- 19 judicial reform should be prompt and crucial in order to safeguard the life and liberty of the citizens.

DATED- 22.05.2020

Yours Sincerely

Namman Rajvanshi and Siddharth Jain

Advocates

