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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2989/2020

HARNAM SINGH & ANR

..... Petitioners

Through: Mr. Mehmood Pracha, Advocate

Versus

UNION OF INDIA & ORS

....Respondents

Through: Mr. Srivats Kaushal, Advocate for
Mr. Jasmeet Singh, CGSC for
UOI.

Mr. Gautam Narayan, ASC with
Ms. Dacchit Sahi, Advocate for
GNCTD.

Mr. Akhil Mital, Standing counsel
for Nr.DMC.

Mr. Dhanesh Relan, Standing
Counsel for the SDMC.

Mr. Harish Kumar Khinchi,
Standing Counsel for EDMC.

Mr. Anil Grover, Standing Counsel
with Ms. Noopur Singhal,
Advocate for R-8/NDMC.

None for D.C.B.

None for E.D.M.C.

+ W.P.(C) 3144/2020

ALL MUNICIPAL CORPORATION STAFF UNION & ANR

..... Petitioners

Through: Ms. Suman Chauhan and Mr.
Jeevesh Tiwari, Advocates

Versus

NCT OF DELHI & ORS

....Respondents

Through: Mr. Naushad Ahmad Khan, ASC
for the R-1.

Mr. Akhil Mital, Standing counsel
for NDMC.

Mr. Dhanesh Relan, Standing
Counsel for the SDMC.
Mr. Harish Kumar Khinchi,
Standing Counsel for EDMC.

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
% **01.06.2020**

HEARD THROUGH VIDEO CONFERENCING.

CMs.No. 10951/2020 & 11615/2020 (Exemptions) in W.P. (C) No.2989/2020

Allowed subject to all just exceptions.

W.P. (C) No.2989/2020 & CM.No.10659/2020 and W.P.(C) 3144/2020

1. At the outset, we record the submission made by learned counsel for the Union of India and Govt. of NCT of Delhi that they have reconciled the inventory of PPE kits, N95 masks and gloves etc. supplied by the Union of India to Govt. of NCT of Delhi and there is only a minor discrepancy.
2. We find that the Status Reports filed by the Delhi Government, South Delhi Municipal Corporation (SDMC), East Delhi Municipal Corporation (EDMC) and North Delhi Municipal Corporation (Nr.DMC) are incomplete. The affidavits of the civic authorities are devoid of material particulars and do not throw any light on the number of safai karamcharis in their jurisdiction vis-a-vis the number of masks, gloves and other PPE kits that are provided to them on a day to day basis. Nor do the affidavits of any of the aforesaid Bodies indicate the number of Containment zones declared in their jurisdiction for this Court to understand as to whether the requirements of the safai karamcharis in those areas which are more critical, have been adequately met or not.

3. Further, having perused the averments made by the petitioners in the connected writ petition, i.e. W.P. (C) No.3144/2020, we are of the opinion that the respondents must also inform this Court as to whether sanitizing cubicles have been installed by the civic authorities in each ward and if not, what steps have been taken to ensure that after the safai karamcharis complete their duty for the day, they are adequately sanitized. The issue of disposal of bio-medical waste by the civic authorities that has been highlighted by the petitioners, also needs to be addressed. This is a critical area considering the submission made by learned counsel for the petitioners in the captioned case that bio-medical waste is being dumped at common dumping grounds which can itself be a breeding ground of COVID-19 infection if any person unknowingly comes in contact with infected PPE kits as also gloves, masks etc. This is particularly a matter of concern as scavengers will be the first ones to be exposed to infection.

4. Last opportunity is granted to the Delhi Government, Nr.DMC, SDMC and EDMC to file additional affidavits within one week highlighting the aforesaid aspects raised by us.

5. As learned counsel appearing for the aforesaid Departments state that they need to receive instructions on the above issues from their clients, they shall ensure the presence of an Officer competent to assist the Court on the next date of hearing so that any other query that may be posed in the course of arguments, can be adequately addressed without having to adjourn the matter.

6. List on 09.06.2020.

HIMA KOHLI, J.

SUBRAMONIUM PRASAD, J.

JUNE 01, 2020

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