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

% *Date of Decision: 17th June, 2020*

+ W.P.(C) 3567/2020

PULKIT JAIN

..... Petitioner

Through: Mr. Vivek Punia, Adv. along
with petitioner in person

versus

GOVERNMENT OF NCT OF DELHI AND ANR..... Respondents

Through: Mr. Naushad Ahmed Khan,
ASC

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PRATEEK JALAN

JUDGMENT

: **D. N. PATEL, Chief Justice (Oral)**

Proceedings of the matter have been conducted through video conferencing.

CM APPL. 12690-12691/2020

Allowed, subject to just exceptions.

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1. This Public Interest Litigation has been preferred with the following
W.P.(C) No.3567/2020

prayers:

“a) Issue a writ in the nature of Mandamus or any other writ, directing the Respondents to frame rules. issue and publicise instructions/guidelines norms for the proper wearing/usage/handling of all kinds of masks.

b) Pass any further order(s) that this Hon'ble Court may deem it and proper in the facts and circumstances of the case.”

2. Looking to the facts and circumstances of the case, it appears that this petitioner is in search of framing of the rules and publication of instructions/guidelines/norms for the proper wearing or usage or handling of all kinds of masks in this Covid-19 pandemic situation prevailing in the NCT of Delhi.

3. Learned counsel appearing for both the respondents submitted that regarding “when and how to use masks”, requisite guidelines have already been issued by the Ministry of Health and Family Welfare.

4. Moreover, there is a pictorial narration or presentation also as to when and how to wear a mask. The same is annexed at Annexure P-4 to the memo of this writ petition which is issued by the Ministry of Health and Family Welfare, Government of India. For the ready reference, the same reads as under:

Novel Coronavirus Disease COVID-19

When and how to wear a mask?

When to wear a mask?

1. If you are healthy, you only need to wear a mask if you are taking care of a person with suspected COVID-19 infection
2. Wear a mask if you are coughing or sneezing
3. Masks are effective only when used in combination with frequent hand-cleaning with alcohol-based hand rub or soap and water
4. If you wear a mask, then you must know how to use it and dispose off properly



How to wear a mask?



Before putting on a mask, clean hands with alcohol-based hand rub or soap and water



Cover mouth and nose with mask and make sure there are no gaps between your face and the mask



Avoid touching the mask while using it; if you do, clean your hands with alcohol-based hand rub or soap and water



Replace the mask with a new one as soon as it is damp and do not re-use single-use masks



To remove the mask: remove it from behind (do not touch the front of mask); discard immediately in a closed bin; clean hands with alcohol-based hand rub or soap and water

**Stay
protected!**

**Stay safe from
Coronavirus!**



Contact Ministry of Health and Family Welfare Helpline:
+91-11-23978046 & 1075

5. Counsel appearing for the petitioner has also taken this Court to Annexure P-6 to the memo of this petition which is a pictorial presentation by World Health Organization.

6. Looking to the fact that there are already guidelines issued by the Ministry of Health and Family Welfare, Government of India, on how to use masks by the public in this Covid-19 pandemic situation, we see no reason to give further guidance or directions in this regard to the respondents. Nonetheless, respondent, if their experts so advise, may make necessary changes in the pictorial presentation or amend the guidelines.

7. The pictorial presentation at Annexure P-4 to the memo of this writ petition, part of the guidelines issued by the Ministry of Health and Family Welfare, Government of India may be publicised on print as well as electronic media and also be displayed on the websites of all municipal authorities as well as on website of Delhi Cantonment Board so that public at large may come to know as to when and how to use the masks.

8. With these observations/directions, this writ petition is disposed of.

CHIEF JUSTICE

PRATEEK JALAN, J

JUNE 17, 2020

ns

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