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**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**  
**CWPIL N.5 of 2021**  
**Decided on: 10.03.2021**

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Lawan Thakur

...Petitioner

Versus

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State of H.P. & others

...Respondents

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*Coram*

**The Hon'ble Mr. Justice L. Narayana Swamy, Chief Justice**

**The Hon'ble Mr. Justice Anoop Chitkara, Judge**

*Whether approved for reporting?*

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For the petitioner:

Mr.Sanjeev Bhushan, Senior Advocate with  
Mr.Digvijay Singh, Advocate.

For the respondents:

Mr.Ajay Vaidya, Senior Additional Advocate  
General.

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**L. Narayana Swamy, Chief Justice.** *(Oral)*

The petitioner is stated to be a public spirited person and practicing Advocate at Mandi. His case is that during Mandi Shivaratri fair at Mandi if persons are allowed to participate, there will be public congregation, which may cause prejudice/injury to the society as a whole. It is further submitted that during this COVID-19 pandemic as per the guidelines issued by the Ministry of Home Affairs, Government of India and the State of Himachal Pradesh, large congregations have been permitted but the respondents have not made any arrangement in implementing the guidelines which may ultimately be fatal to the public.

2. On 09.03.2021, we had issued notice to the respondents. Today, learned Senior Additional Advocate General

has placed on record instructions dated 9<sup>th</sup> March, 2021, wherein it was decided to organize the fair keeping in view all COVID-19 protocols and guidelines issued by the Centre and State Government from time to time and the following arrangements are being made during the fair:-

- a Adequate entry/exit points have been ensured in Mela Ground
- b Foot driven sanitizer machines will be installed at all entry points in Shivratri Mela Ground.
- c Adequate number of dustbins are being placed in the Mela Ground.
- d 50 Social Emergency Response Volunteers are being deployed in the mela premises to ensure social distancing and Covid-19 related protocol compliance.
- e Thermal Screening will be carried out at entry points.
- f All have been advised to install Arogya Setu App while coming to Mela premises.
- g 5000 face masks have been kept in reserve to be provided to needy persons if someone is found in the mela without mask.
- h All the Kardars of registered Devtas have been requested to come to mela with limited number of Devlus and Bajantris.
- i Five Compliance Officers are being appointed with each Devta. We have 216 registered Devtas, thus 1080 Compliance Officers are being appointed to ensure compliance of all

- Covid Protocols amongst Devlus coming with Devtas.
- j Teams of Medical/Police are being deployed as Mela Ground to screen symptomatic persons, if someone is found infected/symptomatic, he/she will be isolated immediately.
  - k Spiting has been prohibited.
  - l Advisory has been issued to the elderly people, pregnant women and the children below 10 years of age not to visit mela premises.
  - m Compulsory RTPCR Covid-19 test for all Cooks/catering staff has been ensured who will prepared/serve Dham/community food during the Mela.
  - n Appeal has been made to contact Toll Free Numbers 104 and 1077 in case of any health related problem/exigency.

3. Learned Senior Additional Advocate General further submits that not only in Shivaratri festival, but, wherever such festivals/gathering are organized, these guidelines/SOPs are strictly followed.

4. We have heard learned counsel for the parties and also gone through the instructions. We are satisfied with the guidelines/steps taken by the respondents while organizing Shivratri and other social participations. The respondents are also

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directed to take steps not only in festivals like Shivratri, but, also wherever people gathers for other purposes.

5. With these observations, the petition stands disposed of along with pending application(s), if any.

( L. Narayana Swamy)  
Chief Justice

( Anoop Chitkara)  
Judge

March 10, 2021  
( vt )

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High Court