

IN THE SUPREME COURT OF INDIA
[CIVIL ORIGINAL JURISDICTION]
WRIT PETITION (CIVIL) NO. /2020
PUBLIC INTEREST LITIGATION

IN THE MATTER OF:-

CENTRE FOR ACCOUNTABILITY AND ...PETITIONER
SYSTEMIC CHANGE (CASC)

VERSUS

MINISTRY OF HOME AFFAIRS ...RESPONDENT

WITH

IA OF 2020

APPLICATION SEEKING INTERIM DIRECTIONS

PAPER BOOK

(For index kindly see inside)

ADVOCATE FOR THE PETITIONER: SACHIN MITTAL

PROFORMA FOR FIRST LISTING

Section - _____

- ☐ Central Act (Title) :**Constitution of India**.....
- ☐ Section/Order :**Article 32 and 360**.....
- ☐ Central Rule : (Title)**N/A**
- ☐ Rule No(s) : **N/A**.....
- ☐ State Act (Title)**N/A**.....
- ☐ Section: **N/A**
- ☐ State Rule : (Title) :**N/A**.....
- ☐ Rule No (s) :**N/A**.....
- ☐ Impugned Interim Order : (Date) :**N/A**.....
- ☐ Impugned Final Order/Decree : (Date)**N/A**.....
- ☐ Coram.....**N/A**.....
- ☐ High Court : (Name)**N/A**.....
- ☐ Tribunal/Authority : (Name) : **N/A**

-
1. Nature of Matter : (Civil/Criminal) :**Writ Petition (Civil)**....
 2. (a) Petitioner:**Centre for Accountability and Systemic Change**.....
 - (b) E-mail ID : **smittal.law@gmail.com**.....
 - (c) Mobile Phone number :**9999621615**.....
 3. (a) Respondent No.1**Ministry of Home Affairs**.....
 - (b) E-mail ID : **N/A**.....
 - (c) Mobile Phone number : **N/A**.....
 4. (a) Main Category Classification :..**0812 Letters Petition and PIL Matters**.....
 - (b) Sub-classification :**Others**.....
 5. Not to be listed before**N/A**.....
 - 6(a). Similar disposed of matter with citation, if any, & case detail : **No Similar Disposed of Matter**.....
 - (b) Similar pending matter with case details: **No Similar Pending Matter**
.....

7. Criminal Matters:

- (a) Whether accused/convict has surrendered : **N/A**
- (b) FIR No :**N/A** Date :**N/A**.....
- (c) Police Station :**N/A**.....
- (d) Sentence Awarded : ... **N/A**.....
- (e) Sentence Undergone :**N/A**.....

8. Land Acquisition Matters :

- (a) Date of Section 4 notification : **N/A**.....
- (b) Date of Section 6 notification : **N/A**.....
- (c) Date of Section 17 notification :**N/A**.....

9. Tax Matters : State the tax effect**N/A**.....

10. Special Category (First Petitioner/Appellant Only)

- ☐ Senior Citizen > 65 Years.....**N/A**.....
- ☐ SC/ST.....**N/A**.....
- ☐ Woman/Child.....**N/A**.....
- ☐ Disabled.....**N/A**.....
- ☐ Legal Aid Case.....**N/A**.....
- ☐ In Custody**N/A**.....

11. Vehicle Number (in case of Motor Accident Claim Matters):
N/A.....



(SACHIN MITTAL)
Advocate-on-Record
Code No. 2290
E-mail: smittal.law@gmail.com
Mobile : 9999621615

Date: 26.03.2020

INDEX

S. No.	Particulars of Documents	Page No. of part to which it belongs		Remarks
		Part 1 (Content of Paper Book)	Part II (Content of file alone)	
(i)	(ii)	(iii)	(iv)	(v)
1.	Court Fees	Rs.		
2.	Listing Proforma	A-A1	A-A1	
3.	Cover Page of Paper Book		A-2	
4.	Index of Record of Proceedings		A-3	
5.	Limitation Report prepared by the Registry			
6.	Defect List		A-4	
7.	Note Sheet		Na 1	
8.	Synopsis and List of Dates	B- F		

9.	Writ Petition under Article 32 of Constitution of India with Affidavit	1- 13		
10.	<u>ANNEXURE P-1</u> True Copy of Order dated 12.03.2020 under the Epidemic Diseases Act, 1897	14-17		
11.	<u>ANNEXURE P-2</u> True Copy of Delhi Police Order dated 22.03.2020	18-19		
12.	<u>ANNEXURE P-3</u> True Copy of Ministry of Home Affairs Order dated 24.03.2020 along with addendum	20-28		
13.	<u>ANNEXURE P-4</u> True Copy of chart showing few instances of Orders under Section 144 CrPC by District administration	29		

	after lockdown.			
14.	<u>I.A. No.</u> <u>of</u> <u>2020</u> Application seeking Interim Directions	30-32		
15.	<u>V/A</u>		33	

SYNOPSIS & LIST OF DATES

The Writ Petition in public interest is filed under Article 32 of the Constitution of India seeking directions for notification of financial emergency under Article 360 of the Constitution to safeguard the Rule of Law in India, which is being threatened by arbitrary actions of States and local authorities during COVID-19 epidemic.

The novel coronavirus also called COVID-19 originated in China in 2019. Over a period of time, it has affected over almost all countries in the world, including India, which detected its first case on 30.01.2020. With the exponential rise in cases, the World Health Organization declared COVID-19 pandemic. To counter the pandemic, the Government of India as well as different State Governments took different steps, starting from February and early March 2020.

After success of a one day Janta Curfew, on 24.03.2020, the Hon'ble Prime Minister announced a country wise lockdown for 21 days. This announcement was given effect to by an Order dated 24.03.2020 by the Ministry of Home Affairs. The said Order imposes several restrictions and puts in place many mechanisms, which cannot be done by a mere Order of the Ministry. Moreover, even after announcement, different States and police authorities are continuing to take their own action under the Section 144 of the Code of Criminal Procedure, 1973 in the guise of orders issued by the Central Government which amounts to constitutional fraud.

C

Divergence of steps taken by different authorities are causing confusion and lawlessness in no way can be solution to a problem as grave as COVID-19. Due to the lockdown, the economic activities have come to a standstill as well for which financial package of Rs. 1.7 Lakh crore has been announced by the Finance Minister

This is biggest emergency in independent India and it must be addressed as per Constitutional provisions through unified command between Central and State Governments. This will be required not only to defeat the war against coronavirus but also in recovery of the Indian Economy after Lockdown is over.

Almost all the fundamental right to freedom of movement, most rights under Article 21 and various other fundamental rights have been practically suspended during this lockdown. The general public is not having access to the newspapers, which is happening for the first time after independence. . The closure of courts affects the right to get justice. It is submitted that this requires the imposition of emergency as per the constitution, and not an order under Disaster Management Act, 2005,

Hence, it is most humbly submitted that this Hon'ble Court may be pleased to direct the Government to impose Financial Emergency in the country as per Article 360 of the Constitution of India.

LIST OF DATES

Date	Event
26.01.1950	Constitution of India came into force
26.10.1962- 10.01.1968	National Emergency declared during India-China war when the security of nation was threatened by external aggression
03.01.1971- 24.06.1975	National Emergency declared during India-Pakistan war when the security of nation was threatened by external aggression
25.06.1975- 21.03.1977	National Emergency was extended by the then Prime Minister Indira Gandhi on the basis of internal disturbance
December 2019	Outbreak of novel coronavirus identified in Wuhan, Hubei, China
30.01.2020	First instance of COVID-19 reported in Kerala, India
05.03.2020- 23.03.2020	Various States of India ordered closure of schools, colleges, cinema halls etc. in the wake of COVID-19. Some States also ordered complete lockdown of their respective State, thereby closing their boundaries and prohibiting to and fro travel. The States, such as Maharashtra,

	Tamil Nadu and Karnataka invoked Section 144 CrPC to maintain social distancing
11.03.2020	World Health Organization declared COVID-19 pandemic
12.03.2020	Government of NCT of Delhi issued notification under Epidemic Diseases Act, 1897. ANNEXURE-1 (PP 14-17)
22.03.2020	Order under Section 144 issued by Delhi Police. ANNEXURE P-2 (PP 18-19)
22.03.2020	Upon the suggestion of Hon'ble Prime Minister Sh. Narendra Modi, voluntary "Janta Curfew" was observed for 24 hours
24.03.2020	The Hon'ble Prime Minister declared nationwide lockdown for a period of 21 days under Disaster Management Act, 2005. The Government of India notified that only essential services such as medical and groceries would be available during the lockdown. Ministry of Home Affairs issued Order to this effect. ANNEXURE P-3 (PP 20-28)

25.03.2020	Various states issued prohibitory orders under Sec. 144. Including shoot at sight. Essential services badly disturbed due to discretionary interpretation of state and central govt. instructions ANNEXURE P-4 (PP 29)
26.03.2020	Indian Council of Medical Research and Ministry of Health and Family Welfare confirmed a total of 606 cases of COVID-19 and 13 deaths. There are apprehensions that if India enters into 3 rd phase then it may create more problems to weaker sections and persons in unorganised sector.
26.03.2020	Finance Minister announced relief package of Gareeb Kalyan Kosh of Rs. 1,70,000 crores.

HENCE, THE PRESENT WRIT PETITION

1. Writ Petition in public interest under Article 32 of the Constitution of India seeking directions for notification of

financial emergency under Article 360 of the Constitution to safeguard the Rule of Law in India, which is being threatened by arbitrary actions of various authorities during COVID-19 epidemic.

2. That, Petitioner is a think tank working towards governance and judicial reforms. It has represented as well as filed Writ Petition before this Hon'ble Court seeking usage of double sided pages, which has now been ordered by the Hon'ble Court and many High Courts. The Petitioner organization has assisted this Hon'ble Court in the matter of live streaming of proceedings. The Petitioner has also published several research books such as "Ayodhya's Ram Temple in Courts", "Election on the Roads" and "Rape Laws and Death Penalty" which highlight several important aspects of Constitutional jurisprudence and judicial reforms. The Petitioner organization has also started a campaign on social media about Fundamental Duties and requirement of the citizenry to commit to the lockdown. The Petitioner organisation also sought the its impleadment in Suo Motu Writ Petition (C) 1/2020 regarding release of undertrial prisoners from jails. The Petitioner organization is registered under the Indian Trusts Act, 1882 with Reg. No. 118 of 2018-19, The Registered Office of the Petitioner organization is at 104, Oriental House, 20, Yusuf Sarai Community Centre, New Delhi-49. The PAN Card No. of

Petitioner organization is AACTC2555N. The Email ID of the Petitioner organization is cascindia@gmail.com and the Telephone Number is 9999256930.

3. That the Respondent No. 1 Ministry of Home Affairs through Home Secretary who is responsible for law and order and has issued the Order by which 21 days national lockdown restrictions have been imposed across all country. It is submitted that the Respondent is necessary party to the petition.
4. That, the Petitioner has no personal interest in the litigation and is not guided by self-gain or for gain of any other person/institution/body and that there is no motive other than public interest and is bringing the instant issue to the attention of this Hon'ble Court in the wider interest of people at large, that is, in *bona fide* public interest which is clear from the facts of the Petition.
5. That there is no civil, criminal or revenue litigation, involving the Petitioner, which could have a legal nexus with the issues invoked in the present Public Interest Litigation.
6. That the cause of action for the present petition arose when the Respondent its Order dated 24.03.2020 and also the addendum dated 25.03.2020 under the Disaster Management Act, 2005. The Petitioner has not made any representation to any government authority considering the extreme urgency in the matter.

7. That the Annexure P-1 to Annexure P-4 submitted along with the Writ Petition are true copy of their respective original.
8. That, no other petition arising out of the same cause of action has been filed by the Petitioner before this honourable court or any other court.
9. That, the brief facts giving rise to the instant petition are as follows: -
10. That the Constitution of India was fully notified on 26 January 1950. Amongst the other provisions of the Constitution, Article 360 detailed Financial Emergency.
11. That the novel coronavirus, also called COVID-19 originated in China in 2019. Over a period of time, it has affected over almost all countries in the world, including India.
12. That the first case of COVID-19 is said to be detected in India on 30 January 2020. After that, there has been a steady surge in number persons affected by the virus.
13. To counter the pandemic, the Government of India as well as different State Governments took different steps, starting from February and early March 2020. Such steps include action under Section 144 of the Code of Criminal Procedure, 1973 and also the Epidemic Diseases Act, 1897.
14. That in Delhi, the Government used the Epidemic Diseases Act, 1897 on 12.03.2020.

True Copy of Order dated 12.03.2020 under the Epidemic Diseases Act, 1897 is attached herewith as **ANNEXURE P-1**.

15. That to control the pandemic, the Hon'ble Prime Minister called for a Janta Curfew on 22.03.2020. As the Janta Curfew ended, the Delhi Police issued orders under Section 144 of the Code of Criminal Procedure, 1973.

True Copy of Delhi Police Order dated 22.03.2020 is attached herewith as **ANNEXURE P-2**

16. That on 24.03.2020, the Hon'ble Prime Minister addressed the nation at 8 PM and announced a country wise lockdown for 21 days. This announcement was given effect to by a Order dated 24.03.2020 by the Ministry of Home Affairs. The said Order has been also been modified by addendum dated 25.03.2020.

True Copy of Ministry of Home Affairs Order dated 24.03.2020 along with addendum is attached herewith as **ANNEXURE P-3**

17. That the above Order has been issued under the Disaster Management Act, 2005. It is submitted that the said Order imposes several restrictions and puts in place many mechanisms, which cannot be done by a mere Order the Ministry. Moreover, different States are continuing to take their own action under the Section 144 of the Code of Criminal Procedure, 1973.

True Copy of chart showing few instances of Orders under Section 144 CrPC by District administration after lockdown. is attached herewith as **ANNEXURE P-4.**

18. That the World Health Organisation has stated that lockdown and social distancing is the effective way of combating COVID-19. The Petitioner is in support of the Lockdown and other steps taken by the Respondent, but the same ought to be backed by necessary constitutional action.

19. That the country is going through a pan-India epidemic. It requires unified strategy and actions by various State Governments in federal structure. This Epidemic is said to have come to India from foreign countries and it must be addressed jointly by whole nation without internal geographical restrictions. Divergence of steps taken by different authorities are causing confusion and lawlessness in no way can be solution to a problem as grave as COVID-19. Due to the lockdown, the economic activities have come to a standstill. Hence, it is most humbly submitted that Financial Emergency needs to be imposed in the country under Article 360 of the Constitution of India.

20. That the writ petition is based on the following grounds, which are without prejudice to each other-

GROUND

A. Because considering the fact that the corporate sector and government department can work from home. However

livelihood of most of the unorganized sector, which contributes 50 per cent to India's GDP, is lost due to sudden lockdown. As a result, there is a threat to financial stability or credit of India. This in turn affects the right to life and personal liberty of general public which is guaranteed under Article 21 of the Constitution of India .

- B. Because considering the fact that during this grave phase of national epidemic, all public is united and supporting the Lockdown. However in the similar manner various government authorities need unified command and not piecemeal and different actions. It is submitted that during emergency, the federal setup works as a unified mechanism to counter the challenge for better utilization of resources as being announced by the Finance Minister as financial package.
- C. Because considering the fact that this may be the biggest emergency in independent India and it must be addressed as per Constitutional provisions and not by way of Cr.PC provisions of Section 144. This use of emergency provisions of Constitution is required not only to defeat the war against coronavirus but also in recovery of the Indian Economy after lockdown is over.
- D. Because almost all the fundamental right to freedom of movement, under Article 19 and 21 and various other fundamental rights have been practically suspended during this lockdown. The general public is not having

access to the newspapers, which may be happening for the first time in independent India. During this lockdown all courts are also closed, which is affecting the right to get justice by poor and marginalised people of India. It is submitted that this extraordinary situation requires the imposition of emergency as mandated in the Constitution. Handling this situation through Order under Disaster Management Act, 2005 and Section 144 CrPC may amount to constitutional fraud.

- E. Because considering the fact that imposition of financial emergency is necessary for rule of law, which is part of the basic structure of the Constitution. Imposition of emergency will ensure that in future, a backdoor of large scale action through statutory measures would not be left open for police and authorities .
- F. Because considering the fact that though essential services are ordered to be running, many difficulties are being reported across the country, be it the running of shops or delivery of newspapers.
- G. Because considering the fact that many States have started using GPS and location tracking to track individuals, which impacts their personal liberty which is necessary to counter the pandemic, but cannot be done under authority of Sec 144 of the CrPC
- H. Because considering the fact that the National Highways Authority of India (NHAI) has stopped collecting toll across

National highways in the country during the 21 days' nationwide lockdown owing to the Covid-19 outbreak, but relief is not given to persons who may not be able to pay EMIs and essential services bills

- I. Because considering the fact that the Finance Minister has extended the dates for filing for taxes. The Prime Minister has announced Rs. 15000 crore for health infrastructure and the Finance Minister has announced financial package of Rs. 1.70 Lakh crore which ought to be used in a systemic manner across country.
- J. Because considering the fact that the Hon'ble Supreme Court invoked its constitutional authority to do complete justice to extend the limitation, as well as direct for release of prisoners on parole and bail. Similarly, the Government needs to utilize the extraordinary powers given in the Constitution to handle this situation. .
- K. Because considering the fact that the Hon'ble Rajasthan High Court has directed that no person can come out for purchasing essential items without a mask. It is submitted that there are not enough masks for everyone in Rajasthan or the other parts of the country. Such arbitrary actions and orders can be avoided if Central Government and State Governments work together in unified manner.
- L. Because considering the fact that India has about 3.5 crore registered labourers, while many more are unregistered. It is submitted that situation is so dire that

thousands of daily wage labourers, who are now without a job, are walking for hundreds of kilometres to reach their destinations.

M. Because considering the fact that the Hon'ble Supreme Court in *S. R. Bommai v. Union of India*, (1994) 3 SCC 1 has said, "Article 360 envisages the Proclamation of financial emergency by the President when he is satisfied that a situation has arisen whereby the financial stability or credit of the country or of any part of the territory thereof is threatened. It declares that such Proclamation shall be laid before each House of Parliament and shall cease to operate at the expiration of two months unless it is approved by the resolutions of both Houses of Parliament."

N. Because considering the fact that the Sarkaria Commission Report on Centre-State Relations states, "Financial Emergency is envisaged by Art. 360 of the Constitution. If the President is satisfied that a situation has arisen whereby the Financial stability or credit of India or of any part of its territory is threatened, he may proclamation a financial emergency. When such an emergency is in operation, the executive authority of the Union extends to the giving of directions to any State for the purpose of securing observance of canons of financial propriety."

- O. Because considering the fact that Dr. BR Ambedkar with respect to Financial Emergency had said the following in the Constituent Assembly, “this article more or less follows the pattern of what is called the National Recovery Act of the United States passed in the year 1930 or thereabouts, which gave the power to the President to make similar provisions in order to remove the difficulties, both economic and financial, that had Overtaken the American People as a result of the great depression from which they were suffering.”
- P. Because considering the fact that Dr. KM Munshi has said the following the Constituent Assembly, “Every Government must satisfy the needs of the sovereign people of India. In a financial emergency there cannot be a greater privilege than that all financial affairs shall be controlled and directed from the Centre”.
- Q. Because considering the fact that Pandit Hriday Nath Kunzuru had said the following in the Constituent Assembly, “article 360 refers to a situation in which the President is satisfied that the financial stability or credit of India or any part of it is threatened. In such cases, instructions can be issued to the provincial government regarding the canons of financial propriety that they should follow. This provision too can be used only in special circumstances. It is clear that it can be used only in an exceptional situation.”

PRAYER

It is therefore prayed that this Hon'ble Court may be pleased to issue:

- i. a writ in the nature of *Mandamus* thereby directing the Government to impose Financial Emergency through President of India under Article 360 of the Constitution; or
- ii. any other writ, order or direction, which may be deemed fit and proper in the facts and circumstances of the case and in the interest of justice, may also be passed.

AND FOR THIS ACT OF KINDNESS THE PETITIONER SHALL
EVER PRAY

Drawn by-

Filed by

Virag Gupta, Advocate

Drawn on: 26.03.2020

Filed on: 26.03.2020



Sachin Mittal

Advocate on Record

Code No. 2290

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION(C) NO OF 2020
IN THE MATTER OF:-

CENTRE FOR ACCOUNTABILITY AND
SYSTEMIC CHANGE (CASC) ...PETITIONER

VERSUS

MINISTRY OF HOME AFFAIRS ...RESPONDENT

AFFIDAVIT

I, Dr. Varun Kumar, S/o Dr. Pradeep Kumar aged about 31 years, having office at 104, Oriental House, Yusuf Sarai New Delhi- 49, do hereby solemnly affirm and state as follows:-

1. That I am the Trustee and Treasurer of the Petitioner organization in the aforesaid matter and am conversant with the facts and circumstances of the case and am competent to swear this affidavit.
2. That I have read and understood accompanying writ petition from para **1** to **20** ,pages **1** to **6** , and do state that the facts stated therein are true and correct to the best of my knowledge.
3. That the Annexures are true copy of their originals.
4. That the Petitioner has no personal gain, private motive or oblique reason in filing the PIL.

V Kumar

DEPONENT

VERIFICATION

I, the deponent above named do hereby verify that averments made in this affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom. Verified at New Delhi on this the 26 day of March 2020.

V Kumar

DEPONENT

No. F. 51/DGHS/PH-IV/COVID-19/ 202-215 Date: 12/3/2020
(CD-000597848)

NOTIFICATION

In exercise of the powers conferred under Section 2, 3 & 4 of The Epidemic Diseases Act, 1897, The Lt. Governor of Delhi is pleased to issue following regulations COVID-19 (Corona Virus Disease - 2019).

1. These regulations may be called The Delhi Epidemic Diseases, COVID-19 Regulations, 2020.
2. "Epidemic Disease" in these regulations means COVID-19 (Corona Virus Disease 2019)
3. Authorized Persons under this act are Secretary (Health & FW), Director General Health Services (DGHS), at State Level and District Magistrate, Chief District Medical Officer (CDMO), Sub Divisional Magistrate (SDM) and District Surveillance Officer (DSO) in the districts and officers as authorized by Department of Health & Family Welfare Department, Govt. of NCT of Delhi.
4. All Hospitals (Government & Private) should have Flu corners for screening of suspected cases COVID-19 (Corona Virus Disease 2019).
5. All Hospitals (Government & Private) during screening of such cases shall record to ascertain history of travel of the person if he/she has travelled to any country or area where COVID-19 has been reported. In addition the history of coming in contact with a suspected or confirmed case of COVID-19 shall be recorded.
 - i) In case the person has any such history in last 14 days and the person is asymptomatic then the person must be kept in home quarantine for 14 days from the day of exposure
 - ii) In case the person has any such history in last 14 days and the person is symptomatic as per case definition of COVID-19, person must be isolated in a hospital and will be tested for COVID-19 as per protocol.
 - iii) Information of all such cases should be given to office of CDMO of the respective District immediately.
6. No person/institution/organization will use any print or electronic media for information regarding COVID-19 without prior permission of the Department of Health & Family Welfare, Govt. of NCT of Delhi. This is to avoid spread of any rumour or unauthenticated information regarding COVID-19. In case any person/ institution /organization is found indulging in such activity, it will be treated as a punishable offence under these regulations.



7. No Private Laboratory has been authorized to take or test samples for COVID-19 in the NCT of Delhi. All such samples will be collected as per guidelines of Government of India and these will be sent to designated laboratory by the Nodal Officer by the designated hospitals of the Department of Health & Family Welfare Department, Govt. of NCT of Delhi of the concerned District under intimation to District Surveillance Officer (DSO) of concerned District.
8. If any person with a history of travel in last 14 days to a country or area from where COVID-19 has been reported, develop symptoms, he must contact the State/District control rooms (as per Annexure-I) so that necessary measures if required may be initiated by the Department of Health & Family Welfare, Govt. of NCT of Delhi.
9. All persons with a history of travel to a country or area from where COVID-19 has been reported in last 14 days, but who do not have any symptoms of cough, fever, difficulty in breathing, should isolate themselves at home. Such persons must take precautions to avoid contact with any person including family members for 14 days from the date of arrival from such area.
10. Authorized persons as per section 3 of these regulations are authorized under this act to admit a person and isolate the person if required in case he/she has a history of visit to an area where COVID-19 is endemic and the concerned person is symptomatic.
11. If there are sufficient reasons, cause or information to suspect or believe that any persons could be infected with COVID-19 and his continued presence in a premises is hazardous to the public safety, it shall be lawful for a Surveillance Personnel to enter any such premises, after giving reasonable opportunity to the owner/occupier, for the purpose of surveillance of instances of fever or cough or respiratory difficulty, enquire into or undertake physical examination, as he/she thinks fit, and such person(s) shall be bound to cooperate and render all possible assistance to facilitate such surveillance, inspection, enquiry and examination.
12. If consequent upon such inquiry, inspection, examination or otherwise, Surveillance Personnel has reason to believe or suspect that such a person could be infected with COVID-19, the Surveillance Personnel may direct/arrange to put that person(s) in home quarantine or direct/escort that persons(s) to an 'Institutional Quarantine Facility' or an 'Isolation Facility'.
13. It shall be mandatory for Medical Officers in Government Health Institutions and registered Private Medical Practitioners, including AYUSH practitioners, to notify such person(s) to the concerned District Surveillance Unit, along with duly filled up self declaration forms, who, within their knowledge, are having travel history to COVID-19 affected countries as per the extant guidelines and are having complaints of fever or cough or respiratory difficulty or even without any signs and symptoms of the Epidemic disease.



- 16
14. If the owner or occupier(s) of any premises or any individual suspected/confirmed with COVID-19, refuses to take measures for prevention or treatment i.e., Home quarantine/Institutional Quarantine/Isolation or any such person refuses to co-operate with, render assistance to or comply with the directions of the Surveillance Personnel, the concerned District Magistrate having jurisdiction and specifically authorized by the District Magistrate in this regard, may pass an appropriate order and may proceed with proceedings under Section 133 of the Code of Criminal Procedure, 1973 (2 of 1974) or take any other coercive action as deemed necessary and expedient for enforcing such cooperation and assistance. In case of a minor, such Order shall be directed to the guardian or any other adult member of the family of the minor.
15. All advisories issued/to be issued by the Government of India on COVID-19 will ipso-facto be treated as directions under this Act in NCT of Delhi.
16. If cases of COVID-19 are reported from a defined geographic area, the Authorized Person(s) with the approval of State Task Force constituted for containment of COVID-19 shall have the right to implement following containment measures, but not limited to these, in order to prevent spread of the disease
- i) Sealing of the geographical area,
 - ii) Banning entry and exit of population from the containment area.
 - iii) Closure of schools, offices and banning public gatherings.
 - iv) Banning vehicular movement in the area.
 - v) Initiating active and passive surveillance of COVID-19 cases.
 - vi) Hospital isolation of all suspected cases.
 - vii) Designating any Government building as containment unit for isolation of the cases.
 - viii) Staff of all Government departments will be at disposal of District administration of the concerned area for discharging the duty of containment measures.
 - ix) Any other measure as directed by Department of Health & Family Welfare, Govt. of NCT of Delhi.
17. With the concurrence of Health & Family Welfare Department of Govt of NCT of Delhi, District Disaster Management Committee headed by District Magistrate is authorized for planning strategy regarding containment measures for COVID-19 in their respective districts. The District Magistrate may co opt more officers from different departments for District Disaster Management Committee for this activity under these regulations.
18. **Penalty:** Any person /institution/organization found violating any provision of these regulations shall be deemed to have committed an offence punishable under section 188 of Indian Penal Code (45 of 1860). Principal



Secretary/Secretary, Health & Family Welfare or District Magistrate of a District may penalize any person/institution/organization if found violating provisions of these regulations or any further orders issued by Government under these regulations.

19. **Protection to person acting under ACT:** No suit or legal proceeding shall lie against any person for anything done or intended to be done in good faith under this act unless proved otherwise.
20. These regulations shall come into force immediately and shall remain valid for a period of one year from the date of publication of this notification.

By order and in the name of
Lt. Governor of National Capital Territory of Delhi



(Ajay Bisht)

Deputy Secretary (Health & FW)

No. F. 51/DGHS/PH-IV/COVID-19/202-215

Date: 12-03-2020

Copy to:

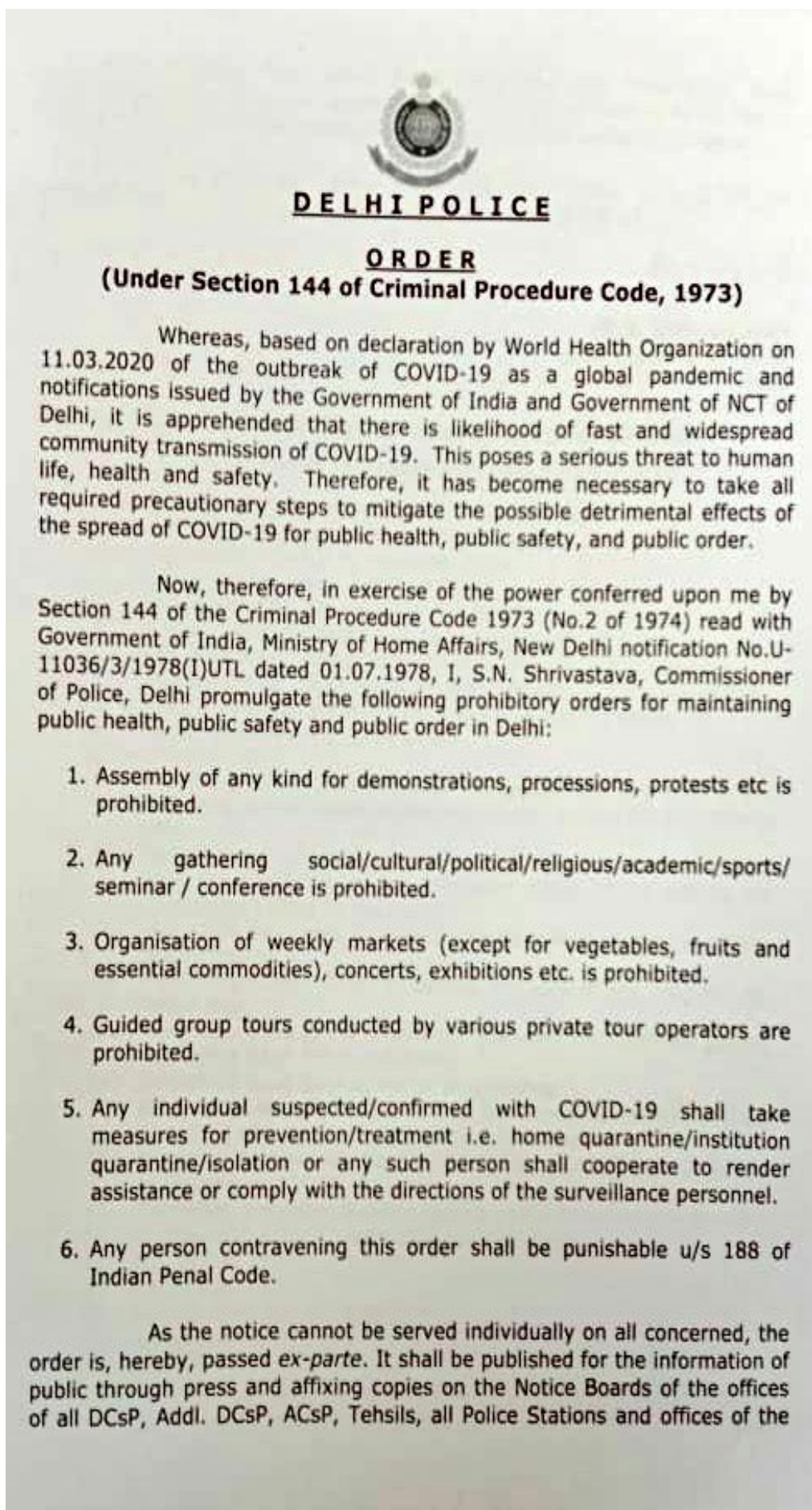
1. Addl. Chief Secretary (Transport), Govt. of Delhi
2. Addl. Chief Secretary (Home), Govt. of Delhi
3. Commissioner of Police
4. Chairman, NDMC
5. Pr. Secretary to Hon'ble LG, Raj Niwas, Delhi
6. Additional Secretary to Hon'ble CM, Govt of Delhi
7. OSD to Hon'ble Minister of Health
8. OSD to Chief Secretary, Govt. of Delhi
9. All Pr. Secretaries/Secretaries//HODs/Heads of all Autonomous Bodies/Institutions/Colleges under Govt. of NCT of Delhi
10. Secretary (GAD), Govt. of NCT of Delhi
11. Director General Health Services, Govt. of NCT of Delhi, Delhi - 32
12. All the District Magistrates, Govt. of NCT of Delhi
13. Director, Directorate of Family Welfare, GNCT of Delhi, New Delhi
14. All MSs/Directors of all Hospitals under Govt. of NCT of Delhi.
15. All Chief District Medical Officers, Govt. of NCT of Delhi



(Ajay Bisht)

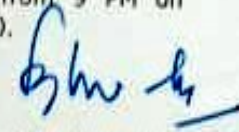
Deputy Secretary (Health & FW)

ANNEXURE P-2



New Delhi Municipal Corporation, North Delhi Municipal Corporation, East Delhi Municipal Corporation, South Delhi Municipal Corporation, Public Works Department, Delhi Development Authority and Delhi Cantonment Board.

This order will come into force with effect from 9 PM on 22.03.2020 and remain valid upto 12 midnight of 31.03.2020.



(S.N. Shrivastava)
Commissioner of Police
Delhi

No. **11212-11313/C&T(AC-IV)/PHQ** dated Delhi, the **22.03.2020**.

Copy forwarded for information and necessary action to the:

1. Secretary to Government of India, MHA, New Delhi.
2. Chief Secretary, Government of NCT of Delhi.
3. Secretary to Hon'ble Lt. Governor, Delhi.
4. All Secretaries, Govt. of NCT, of Delhi.
5. Deputy Director, I.B., M.H.A., G.O.I., Delhi.
6. All Spl. CsP/Jt. CsP/Addl. CsP, Delhi including Principal/PTC.
7. The DCsP/Addl. DCsP of all the Districts/Units of Delhi & FRRO for communicating to all the ACsP/ SHOs/Inspectors. One copy of the order may be got pasted on the notice boards of the offices (20 copies for district and 10 for Units.)
8. DCP/HQ, Delhi
9. Secretary, NDMC (2 copies) with the request that one copy of the order may be got pasted on the notice board outside the committee's office.
10. Commissioners all the Municipal Corporations in Delhi (with one spare copy for pasting it at the prominent notice board outside the Corporation's office for the public).
11. PRO, Delhi Police with 30 spare copies for publicity in the Local Press /Radio/Television.
12. District Magistrate, Delhi for pasting one copy of the order on the Notice Board.
13. Head Peshi Clerk to the Finance Commissioner (FC) Delhi for pasting outside the Court Room of FC Delhi.
14. Director of News Service, AIR for broadcasting.
15. Director of Information and Publicity, Government of the NCT of Delhi (2 copies) with the request for publicity in the press.
16. Director, Doordarshan Kendra, Parliament Street, New Delhi for telecasting on TV
17. Tehsildars, Delhi/New Delhi for pasting on the Tehsil's Notice Board.
18. DCsP/Special Branch, Traffic, PCR and PRO, Delhi.
19. S.O. to C.P./Delhi.
20. L.A. to C.P., Delhi.
21. ACP(P), ACP(C&T) and ACP(G)/PHQ.
22. Inspr.(X) /PHQ.
23. PA to CP

ANNEXURE-3

No. 40-3/2020-DM-I(A)
Government of India
Ministry of Home Affairs

North Block, New Delhi-110001
Dated 24th March, 2020

ORDER

Whereas, the National Disaster Management Authority (NDMA), is satisfied that the country is threatened with the spread of COVID-19 epidemic, which has already been declared as a pandemic by the World Health Organisation, and has considered it necessary to take effective measures to prevent its spread across the country and that there is a need for consistency in the application and implementation of various measures across the country while ensuring maintenance of essential services and supplies, including health infrastructure;

Whereas in exercise of the powers under section 6(2)(i) of the Disaster Management Act, 2005, the National Disaster Management Authority (NDMA), has issued an Order no. 1-29/2020-PP (Pt.II) dated 24.03.2020 (Copy enclosed) directing the Ministries/ Departments of Government of India, State/Union Territory Governments and State/ Union Territory Authorities to take effective measures so as to prevent the spread of COVID-19 in the country;

Whereas under directions of the aforesaid Order of NDMA, and in exercise of the powers, conferred under Section 10(2)(I) of the Disaster Management Act, the undersigned, in his capacity as Chairperson, National Executive Committee, hereby issues guidelines, as per the Annexure, to Ministries/ Departments of Government of India, State/Union Territory Governments and State/ Union Territory Authorities with the directions for their strict implementation. This Order shall remain in force, in all parts of the country for a period of 21 days with effect from 25.03.2020.


24/3/2020
Home Secretary

To

- 1. The Secretaries of Ministries/ Departments of Government of India**
- 2. The Chief Secretaries/Administrators of States/Union Territories**
(As per list attached)

Copy to:

- i. All members of the National Executive Committee.
- ii. Member Secretary, National Disaster Management Authority.

Annexure to Ministry of Home Affairs Order No .40-3/2020-D dated ()24.03.2020

Guidelines on the measures to be taken by Ministries/ Departments of Government of India, State/Union Territory Governments and State/ Union Territory Authorities for containment of COVID-19 Epidemic in the Country.

1. Offices of the Government of India, its Autonomous/ Subordinate Offices and Public Corporations shall remain closed.

Exceptions:

Defence, central armed police forces, treasury, public utilities (including petroleum, CNG, LPG, PNG), disaster management, power generation and transmission units, post offices, National Informatics Centre, Early Warning Agencies

2. Offices of the State/ Union Territory Governments, their Autonomous Bodies, Corporations, etc. shall remain closed.

Exceptions:

- a. Police, home guards, civil defence, fire and emergency services, disaster management, and prisons.
- b. District administration and Treasury
- c. Electricity, water, sanitation
- d. Municipal bodies—Only staff required for essential services like sanitation, personnel related to water supply etc

The above offices (Sl. No 1 & 2) should work with minimum number of employees. All other offices may continue to work-from-home only.

3. Hospitals and all related medical establishments, including their manufacturing and distribution units, both in public and private sector, such as dispensaries, chemist and medical equipment shops, laboratories, clinics, nursing homes, ambulance etc. will continue to remain functional. The transportation for all medical personnel, nurses, para-medical staff, other hospital support services be permitted.

4. Commercial and private establishments shall be closed down.

Exceptions:

- a. Shops, including ration shops (under PDS), dealing with food, groceries, fruits and vegetables, dairy and milk booths, meat and fish, animal fodder. However, district authorities may encourage and facilitate home delivery to minimize the movement of individuals outside their homes.
- b. Banks, insurance offices, and ATMs.
- c. Print and electronic media
- d. Telecommunications, internet services, broadcasting and cable services. IT and IT enabled Services only (for essential services) and as far as possible to work from home.
- e. Delivery of all essential goods including food, pharmaceuticals, medical equipment through E-commerce.

- f. Petrol pumps, LPG, Petroleum and gas retail and storage outlets.
- g. Power generation, transmission and distribution units and services.
- h. Capital and debt market services as notified by the Securities and Exchange Board of India
- i. Cold storage and warehousing services.
- j. Private security services

All other establishments may work-from-home only.

5. Industrial Establishments will remain closed.

Exceptions:

- a. Manufacturing units of essential commodities.
- b. Production units, which require continuous process, after obtaining required permission from the State Government

6. All transport services – air, rail, roadways – will remain suspended.

Exceptions:

- a. Transportation for essential goods only.
- b. Fire, law and order and emergency services.

7. Hospitality Services to remain suspended

Exceptions:

- a. Hotels, homestays, lodges and motels, which are accommodating tourists and persons stranded due to lockdown, medical and emergency staff, air and sea crew.
- b. Establishments used/ earmarked for quarantine facilities.

8. All educational, training, research, coaching institutions etc. shall remain closed.

9. All places of worship shall be closed for public. No religious congregations will be permitted, without any exception.

10. All social/ political/ sports/ entertainment/ academic/ cultural/ religious functions / gatherings shall be barred.

11. In case of funerals, congregation of not more than twenty persons will be permitted.

12. All persons who have arrived into India after 15.02.2020, and all such persons who have been directed by health care personnel to remain under strict home/ institutional quarantine for a period as decided by local Health Authorities, failing which they will be liable to legal action under Sec. 188 of the IPC.

13. Wherever exceptions to above containment measures have been allowed, the organisations/employers must ensure necessary precautions against COVID-19

virus, as well as social distance measures, as advised by the Health Department from time to time.

14. In order to implement these containment measures, the District Magistrate will deploy Executive Magistrates as Incident Commanders in the respective local jurisdictions. The Incident Commander will be responsible for the overall implementation of these measures in their respective jurisdictions. All other line department officials in the specified area will work under the directions of such incident commander. The Incident Commander will issue passes for enabling essential movements as explained.
15. All enforcing authorities to note that these strict restrictions fundamentally relate to movement of people, but not to that of essential goods.
16. The Incident Commanders will in particular ensure that all efforts for mobilisation of resources, workers and material for augmentation and expansion of hospital infrastructure shall continue without any hindrance.
17. Any person violating these containment measures will be liable to be proceeded against as per the provisions of Section 51 to 60 of the Disaster Management Act, 2005, besides legal action under Sec. 188 of the IPC (as per Appendix).
18. The above containment measures will remain in force, in all parts of the country, for a period of 21 days with effect from 25.03.2020.


Union Home Secretary

Appendix**1. Section 51 to 60 of the Disaster Management Act, 2005****OFFENCES AND PENALTIES**

51. Punishment for obstruction, etc.—Whoever, without reasonable cause —

(a) obstructs any officer or employee of the Central Government or the State Government, or a person authorised by the National Authority or State Authority or District Authority in the discharge of his functions under this Act; or

(b) refuses to comply with any direction given by or on behalf of the Central Government or the State Government or the National Executive Committee or the State Executive Committee or the District Authority under this Act,

shall on conviction be punishable with imprisonment for a term which may extend to one year or with fine, or with both, and if such obstruction or refusal to comply with directions results in loss of lives or imminent danger thereof, shall on conviction be punishable with imprisonment for a term which may extend to two years.

52. Punishment for false claim.—Whoever knowingly makes a claim which he knows or has reason to believe to be false for obtaining any relief, assistance, repair, reconstruction or other benefits consequent to disaster from any officer of the Central Government, the State Government, the National Authority, the State Authority or the District Authority, shall, on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

53. Punishment for misappropriation of money or materials, etc.—Whoever, being entrusted with any money or materials, or otherwise being, in custody of, or dominion over, any money or goods, meant for providing relief in any threatening disaster situation or disaster, misappropriates or appropriates for his own use or disposes of such money or materials or any part thereof or wilfully compels any other person so to do, shall on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

54. Punishment for false warning.—Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine.

55. Offences by Departments of the Government.—(1) Where an offence under this Act has been committed by any Department of the Government, the head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the

offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the head of the Department, such officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

56. Failure of officer in duty or his connivance at the contravention of the provisions of this Act.—Any officer, on whom any duty has been imposed by or under this Act and who ceases or refuses to perform or withdraws himself from the duties of his office shall, unless he has obtained the express written permission of his official superior or has other lawful excuse for so doing, be punishable with imprisonment for a term which may extend to one year or with fine.

57. Penalty for contravention of any order regarding requisitioning.—If any person contravenes any order made under section 65, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

58. Offence by companies.—(1) Where an offence under this Act has been committed by a company or body corporate, every person who at the time the offence was committed, was in charge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly: Provided that nothing in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of such offence. (2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company, and it is proved that the offence was committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also, be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section— (a) “company” means any body corporate and includes a firm or other association of individuals; and (b) “director”, in relation to a firm, means a partner in the firm.

59. Previous sanction for prosecution.—No prosecution for offences punishable under sections 55 and 56 shall be instituted except with the previous sanction of the Central Government or the State Government, as the case may be, or of any officer authorised in this behalf, by general or special order, by such Government.

60. Cognizance of offences.—No court shall take cognizance of an offence under this Act except on a complaint made by— (a) the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorised in this behalf by that Authority or Government, as the case may be; or (b) any person who has given notice of not less than thirty days in the manner prescribed, of the alleged offence and his intention to make a complaint to

the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorised as aforesaid.

2. Section 188 in The Indian Penal Code

188. Disobedience to order duly promulgated by public servant.—Whoever, knowing that, by an order promulgated by a public servant lawfully empowered to promulgate such order, he is directed to abstain from a certain act, or to take certain order with certain property in his possession or under his management, disobeys such direction, shall, if such disobedience causes or tends to cause obstruction, annoyance or injury, or risk of obstruction, annoyance or injury, to any person lawfully employed, be punished with simple imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees, or with both; and if such disobedience causes or tends to cause danger to human life, health or safety, or causes or tends to cause a riot or affray, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Explanation.—It is not necessary that the offender should intend to produce harm, or contemplate his disobedience as likely to produce harm. It is sufficient that he knows of the order which he disobeys, and that his disobedience produces, or is likely to produce, harm.

Illustration

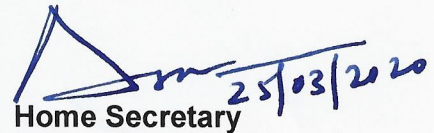
An order is promulgated by a public servant lawfully empowered to promulgate such order, directing that a religious procession shall not pass down a certain street. A knowingly disobeys the order, and thereby causes danger of riot. A has committed the offence defined in this section.

No. 40-3/2020-DM-I (A)
Government of India
Ministry of Home Affairs

North Block, New Delhi-110001
Dated 25th March, 2020

ORDER

In continuation of Ministry of Home Affairs's Order No. 40-3/2020-DM-I (A) Dated 24th March, 2020 and in exercise of the powers, conferred under Section 10 (2) (I) of the Disaster Management Act, the undersigned, in his capacity as Chairperson, National Executive Committee, hereby issues an Addendum to guidelines, as Annexed to the said Order issued to Ministries/ Departments of Government of India, State/Union Territory Governments and State/ Union Territory Authorities with the directions for their strict implementation .


Home Secretary

To

1. The Secretaries of Ministries/ Departments of Government of India
2. The Chief Secretaries/Administrators of States/Union Territories
(As per list attached)

Copy to:

- i. All members of the National Executive Committee .
- ii. Member Secretary, National Disaster Management Authority .

Government of India, Ministry of Home Affairs

**Subject: Addendum to Guidelines annexed to the Ministry of Home Affairs
Order No. 40-3/2020-DM-I(A) dated 24.03.2020**

28

- A. Addition in exemption to Clause 1:**
- Term treasury includes, Pay & Accounts Offices, Financial Advisers and field offices of the Controller General of Accounts, **with bare minimum staff**.
 - Customs clearance at ports/airports/land border; GSTN; and MCA 21 Registry, **with bare minimum staff**.
 - Reserve Bank of India and RBI regulated financial markets and entities like NPCI, CCIL, payment system operators and standalone primary dealers, **with bare minimum staff**.
- B. Under sub clause (b) to clause 2, term treasury include, field offices of the Accountant General, with bare minimum staff.**
- C. Addition of sub clause (e), (f) & (g) in exceptions to clause 2:**
- e. Resident Commissioner of States, in New Delhi **with bare minimum staff**, for coordinating Covid-19 related activities and internal kitchens operations.
 - f. Forest offices: Staff/ workers required to operate and maintain zoo, nurseries, wildlife, fire fighting in forests, watering plantations, patrolling and their necessary transport movement.
 - g. Social Welfare Department, **with bare minimum staff**, for operations of Homes for children/ disables/ senior citizens/ destitute/ women/ widows; Observation homes; pensions.
- D. Clause 3 includes** veterinary hospitals; pharmacies (including Jan Aushadhi Kendra) and Pharmaceutical research labs.
- E. Sub-clause (b) to Clause 4 includes** IT Vendor for banking operations; Banking Correspondent and ATM operation and cash management agencies.
- F. Sub-clause (a) to Clause 4 includes** shops for seeds and pesticides.
- G. Addition of sub clause (h) to Clause 4:**
- h. Data and call Centre **for Government activities only**.
- H. Sub-clause (a) to clause 5 to read as:**
- a. Manufacturing units of essential goods, including drugs, pharmaceutical, medical devices, their raw material & intermediates.
- I. Addition of sub clause (c) & (d) to Clause 5:**
- c. coal and mineral production, transportation, supply of explosives and activities incidental to mining operations.
 - d. Manufacturing units of packaging material for food items, drugs, pharmaceutical and medical devices.
- J. Addition of sub clause (c) & (d) to Clause Sub clause 6:**
- a. Operations of Railways, Airports and Seaports for cargo movement, relief and evacuation and their related operational organisations.
 - b. Inter-state movement of goods/cargo for inland and exports.
- K. Addition of sub clause (c) in exceptions to clause 6:**
- c. Cross land border movement of essential goods including petroleum products and LPG, food products, medical supplies.


Home Secretary 25/03/2020

ANNEXURE P-4

**CHART SHOWING FEW INSTANCES OF
ORDERS UNDER SECTION 144 CRPC BY
DISTRICT ADMINISTRATION AFTER
LOCKDOWN**

S.No.	Date	State	Steps Taken
1.	25.03.2020	Madhya Pradesh	Section 144 CrPC imposed in Indore district in view of nationwide lockdown
2.	25.03.2020	Jammu & Kashmir	Section 144 CrPC imposed in view of nationwide lockdown
3.	25.03.2020	Kerala	Section 144 CrPC imposed in several districts of the State
4.	25.03.2020	Rajasthan	Action taken against people violating imposition of Section 144 CrPC by Rajasthan Police
5.	26.03.2020	Tamil Nadu	1,252 people have been booked for violating Section 144 CrPC
6.	26.03.2020	Uttar Pradesh	16 people have been booked in Lucknow for spreading rumors after Lockdown

//TRUE COPY//

IN THE SUPREME COURT OF INDIA
[CIVIL ORIGINAL JURISDICTION]
IA OF 2020
IN
WRIT PETITION (CIVIL) NO. /2020
PUBLIC INTEREST LITIGATION

IN THE MATTER OF:-

CENTRE FOR ACCOUNTABILITY AND ...PETITIONER
SYSTEMIC CHANGE

VERSUS

MINISTRY OF HOME AFFAIRS ...RESPONDENT

AN APPLICATION SEEKING INTERIM DIRECTIONS

MOST RESPECTFULLY SHOWETH:

1. That the Applicant has filed the accompanying Writ Petition seeking directions for imposition of Financial Emergency in view of COVID-19 epidemic in India. That the said Writ Petition has been filed by the Applicant Organization through its Trustee, Dr. Varun Kumar.
2. That the COVID-19 pandemic has caused a nation-wide lockdown for 21 days. This lockdown has taken a huge toll on the Indian Economy. As a result, crores of Indians have been rendered jobless and many are not even getting food. In fact, the country, which is supposed to function as a well oiled machine in a federal structure has been brought to a sudden halt.

3. That such huge financial meltdown across all sectors merits the imposition of Financial Emergency as well as certain interim measures__That the Government has announced certain measures such as extending tax filing dates and easing ATM rules and other steps. However, there are crores of persons, who will not be in a position to pay their EMIs on different loans as well as public utility bills, such as electricity, water and gas bills.
4. That the Government has also announced the PM Gareeb Kalyan Yojna for Rs. 1,70,000 crore. Steps like automatically promoting students to the next class have also been taken by different states. However, there are still immense difficulties faced by public due to courts being closed and markets barely functioning.
5. That in such difficult times, when a person cannot even go out of the house, certain interim measures will go a long way in ensuring right to life under Article 21 of the Constitution.

PRAYER

It is therefore, humbly prayed that your Lordships may graciously be pleased to: -

- a) Direct the Government to provide necessary directions for suspension of collection of utility bills (Electricity, Water, Gas, Telephone, Internet) and EMIs payments liable to be paid during Lockdown period ;

- b) Direct the State police and local authorities to strictly comply with home ministry instructions so that essential services are not disrupted;
- c) Pass any such order as this Hon'ble Court may deem fit and proper in the facts and circumstances of this case.

Drawn by

Filed by



Virag Gupta, Advocate

Sachin Mittal
Advocate for the Petitioner

Date: 26.03.2020
New Delhi

IN THE SUPREME COURT OF INDIA
CIVIL/CRIMINAL/ORIGINAL/APPELLATE JURISDICTION
Writ Petition (C) No. _____ Of 2020

CENTRE FOR ACCOUNTABILITY AND SYSTEMIC PETITIONER(S)
CHANGE (CASC)

VERSUS

MINISTRY OF HOME AFFAIRS

RESPONDENT(S)

V A K A L A T N A M A

I, Dr. Varun Kumar, S/o Dr. Pradeep Kumar aged about 31 years, having office at 104, Oriental House, Yusuf Sarai New Delhi- 49, Trustee and Treasurer of the Petitioner organization in the above Petition do hereby appoint and retain Mr. Sachin Mittal, Advocate, Supreme Court of India to act and appear for me/us in the above Suit/Appeal/Petition and on my/our behalf to conduct and prosecute or defend or withdraw the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for Review, to file and obtain return of documents and to deposit and receive money on my/our behalf in the said Suit/Appeal/Petition and in application for Review and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/We agree to ratify all acts done by the aforesaid Advocate in pursuance of this Authority.
Dated this the 26th day of March 2020



SACHIN MITTAL



DR. VARUN KUMAR

Accepted & Identified

PETITIONER

Advocate-On-Record
Supreme Court of India
(Registration/Code No.:)

MEMO OF APPEARANCE

To,
The Registrar,
Supreme Court of India
New Delhi

Sir,
Please enter my appearance on behalf on the Petitioner(s)/Appellant(s)/Respondent(s)/Intervenor in the matter above mentioned.

Dated this the 26th day of March 2020

Yours faithfully,



Sachin Mittal
Advocate-On-Record
(Registration/Code No.: 2290)

[Advocate for the Petitioner/Appellant/Respondent]

Off.: 3, Abul Fazal Road, LGF, Bengali Market, New Delhi-110001
Mob. No.: +91-9999621615, +91-9729188291
Email: smittal.law@gmail.com