

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-PIL No. 40 of 2020 (O&M)

Date of decision:- 24.04.2020

Abhayjeet Singh, Advocate

.....Petitioner

Versus

Union Territory, Chandigarh and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.**

Present:- Mr. Abhayjeet Singh, Advocate in person.
Mr. Deepak Balyan, Addl. Advocate General, Haryana.
Mr. Pankaj Jain, Sr. Standing Counsel for Union Territory, Chandigarh.
Mr. P.S.Bajwa, Addl. Advocate General, Punjab.

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RAVI SHANKER JHA, C.J. (ORAL)

The petition has been taken up for hearing through video conferencing (Webex App software) with the consent of the parties.

This petition has been filed by the petitioner by way of Public Interest Litigation praying for a direction to the respondent-authorities to take up necessary steps for proper disposal of the face masks, hand gloves and others as medical waste. The petitioner has specifically prayed for a direction regarding disposal of the aforesaid materials from private houses. The petitioner has also prayed for a direction to the respondents to comply with the advisory issued by the Ministry of Home Affairs in this regard.

The petitioner as well as learned counsel for the respondents are heard.

It is observed that when the petition was filed by the petitioner on 17.04.2020, the guidelines regarding disposal of these materials had been issued by the Central Pollution Control Board on 18.03.2020, 25.03.2020 and thereafter on 18.04.2020. From a perusal of the guidelines, it is evident that the guidelines have clearly laid down the procedure for cleaning soiled bedding, towels and clothes of patient(s) with COVID-19 as well as for safe disposal of waste from quarantined households, safe disposal of masks and

other related waste from non-quarantined households and welfare and protection of sanitary workers engaged in collection and transportation of COVID-19 waste.

Pursuant to the guidelines issued by the Central Pollution Control Board, Union Territory of Chandigarh, State of Punjab as well as State of Haryana have all issued similar guidelines and have directed for strict compliance by all concerned.

A perusal of these guidelines makes it clear that the manner of disposal of face masks and other protective gear that is being used either by quarantined households or non-quarantined households has been prescribed therein and while providing for disposal of this waste from quarantined households it has been directed to be placed in yellow garbage bags and thereafter be disposed of by treating the same to be as bio-medical waste in the manner prescribed under the Bio Medical Waste Management Rules, 2016 and the waste from non-quarantined households has been directed to be treated as domestic hazardous waste, wrapped in separate wrapper, collected and transported separately without mixing with normal household waste. The guidelines also provide for taking measures to protect the sanitary workers engaged in collection and transportation of COVID-19 waste.

All the three respondents have stated that they are strictly complying with these guidelines and they are not treating the petition as adversarial litigation and are willing to take up all further steps necessary for implementing the guidelines and for addressing any aberration or violation of the same. They also state that in case any complaint regarding violation is received from the petitioner or any other person, they shall take the necessary steps immediately to ensure compliance of the aforesaid guidelines.

At this stage, the petitioner submits that the guidelines issued by the respondents-authorities are probably not known to the general public and wide publicity in this regard be made. Learned counsel appearing for all the respondents readily accept the suggestion given by the petitioner and undertake to ensure that wide publicity to these guidelines is undertaken

through all possible media(s) and the public at large is informed about the same so that the guidelines can be effectively implemented.

In view of the statement of the learned counsel appearing for all the respondents and in view of the undertaking given by them regarding not just implementation of the guidelines and addressing violation thereof but also regarding giving immediate and adequate publicity to the guidelines so that they are made known to the general public, we do not find any reason to issue any further direction in the matter.

The petition is accordingly disposed of in terms of the undertaking given by learned counsel for all the respondents as enumerated hereinabove.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

24.04.2020
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No