**IN THE SUPREME COURT OF INDIA**

**CIVIL ORIGINAL JURISDICTION**

**WRIT PETITION (CIVIL) NO. OF 2020**

**(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)**

**IN THE MATTER OF:**

UNITED NURSES ASSOCIATION

THROUGH ITS PRESIDENT PETITIONER

VERSUS

UNION OF INDIA & ORS. RESPONDENTS

**WITH**

**I.A. NO. OF 2020**

###### **APPLICATION FOR EXEMPTION FROM FILING ATTESTED / NOTARIZED AFFIDAVIT**

###### PAPER BOOK

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**ADVOCATE FOR THE PETITIONER: BIJU P. RAMAN**

**SECTION**

**BIJU P. RAMAN**

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Filed by:

Place: New Delhi

Dated: 04.04.2020

**(BIJU P. RAMAN)**

Advocate for the Petitioner

57, Lawyers Chambers,

Supreme Court of India

New Delhi -110001.

Code No. 2211

R. Purushothaman

I.C. No. 3527

Mob. No. 9540169437

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| 2. | (a) | | | Petitioner/Appellant No. 1: | | | | | | | | | | | | | | | UNITED NURSES ASSOCIATION, THROUGH ITS PRESIDENT | | | | | | | | | | | | |
| S | (b) | | | E-mail ID: | | | NA | | | | | | | | | | | | | | | | | | | | | | | | |
|  | (c) | | | Mobile Phone Number: | | | | | | | | | | | | | NA | | | | | | | | | | | | | | |
| 3. | (a) | | | Respondent No. 1: | | | | | | | | | | | | | UNION OF INDIA & ORS. | | | | | | | | | | | | | | |
|  | (b) | | | E-mail ID: | | | | | | | | | | | | | NA | | | | | | | | | | | | | | |
|  | (c) | | | Mobile Phone Number: | | | | | | | | | | | | |  | | | | | | | | | | | | | | |
| 4. | (a) | | | Main category classification: | | | | | | | | | | | Letter Petition and PIL Matter | | | | | | | | | | | | | | | | |
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|  | (b) | | FIR No. | | | NA | | | | | | | | | | | | | | | | Date: | | | | NA | | | | | |
|  | (c) | | Police Station: | | | | | | | | NA | | | | | | | | | | | | | | | | | | | | |
|  | (d) | | Sentence Awarded: | | | | | | | | NA | | | | | | | | | | | | | | | | | | | | |
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| Place:  Date: | | New Delhi  04.04.2020 | | | | | | | | **(BIJU P RAMAN)**  Advocate for the Petitioner  Registration No. 2211  Email: [advbijuraman@gmail.com](mailto:advbijuraman@gmail.com) | | | | | | | | | | | | | | | | | | | | | |

**SYNOPSYS**

*“This pandemic is not a sprint, it’s like a marathon”*

The Petitioner United Nurses Association (UNA) is one of the largest nurses associations with 3.8 lakhs Nurses as its members representing the interest of the registered nurses through its constituents and its organizational affiliates. The United Nurses Association (UNA) was most noted for bringing up the issue of exploitation of nurses as underpaid labourers in the thriving private hospital industry in all over the country. Since 2012 the Petitioner Association has been working as a Trade Union with the help of no political party and not receiving any benefits from them.

Health care workers are at the front line of the COVID-19 outbreak response and as such are exposed to hazards that put them at risk of infection. Hazards include pathogen exposure, long working hours, psychological distress, fatigue, occupational burnout, stigma, and physical and psychological violence etc.

India reported its 1st case of COVID-19 on 30th January, 2020. It was a travel related case from Wuhan, China. Since then (as on 04 April, 2020), 2650 confirmed cases and 68 deaths have been reported from 27 States/UTs. Although there is no evidence to widespread community transmission, 20 existing and 22 potential hotspots have been identified by the Ministry of Health, Govt. of India.

In China, where the virus was first discovered, protecting health care workers was a [serious challenge](https://jamanetwork.com/journals/jama/fullarticle/2762690). More than 3,300 nurses, doctors and other hospital staff members across the country were infected, many because of insufficient personal protective equipment (PPE).

COVID-19 was declared a pandemic by WHO on 11th March, 2020. WHO has advised countries to take a whole-of-government, whole-of-society approach, built around a comprehensive strategy to prevent infections, save lives and minimize impact. In India also, clusters have appeared in multiple States, particularly Kerala, Maharashtra, Rajasthan, Uttar Pradesh, Delhi, Punjab, Karnataka, Telangana and UT of Ladakh. 211 districts are now reporting COVID-19 cases and the risk of further spread remains very high.

It is pertinent to mention that more than 50 health care workers including doctors, nurses from different etc are tested positive for Covid-19. So far as Delhi is concerned nine doctors working in different hospitals and clinics have tested positive for Covid-19. A large number of health care workers including nurses, doctors, and other staffers are infected in various states like Maharashtra, Kerala, Delhi, Karnataka etc. Lack of preparedness to tackle the pandemic has led to 10 nurses at Wockhardt Hospital in Mumbai Central contracting the infection and almost all 265 nurses in the said hospital are under observation to contain further spread. The administrators of Hindu Rao Hospital, Delhi received 10-12 resignation over the last few days from the health care workers citing lack of PPEs as a reason. Many Govt. as well as private hospitals are shut down after health care workers tested positive for Covid-19.

World Health Organization (WHO) has issued an interim guidance on 19.03.2020, titled as “***Coronavirus disease (COVID-19) outbreak: rights, roles and responsibilities of health workers, including key considerations for occupational safety and health”*** for standardizing the rights, roles and responsibilities of health care workers internationally. Unfortunately the Respondents herein did not formulate a National Management Protocol for COVID19 for addressing the serious concerns relating to imminent and extreme risks posed to the health and safety of medical personnel throughout the territory of India, amidst the currently persisting and ever escalating spread of the COVID-19 pandemic.

The health and safety of health care workers are of utmost importance because further shortage of health care workers would result in thousands of unattended COVID-19 patients, which will have serious repercussions with respect to economy, medical facilities, potential deaths and loss of human resource. Amid Covid-19 the following most common hardships being regularly faced by the health care workers throughout India:

1. Non-availability of sufficient personal protective equipment(PPE) in numerous hospitals throughout India;
2. Non-availability of sufficient number of COVID-19 testing kits;
3. Sub-standard Personal Protection Equipment’s (PPE);
4. Lack of training on infection prevention and control (IPC)
5. Lack of basic facilities in isolation wards; Isolation precautions are not being followed by WHO norms;
6. Hourly disinfection is not being done in the wards;
7. Mental harassment in the nature of forced over-time followed by negligible transport facilities and deduction of salary on account of leaves;
8. Health care workers who are pregnant, lactating or immune compromised are being forced to work;
9. Recent trend of eviction of health care workers from rented/leased property.
10. Lack of accommodation, food, transportation etc.
11. Lack of free medical support for the health care workers and their families.
12. Continuous breach of Government guidelines by private hospitals;

Current evidence suggests that the virus that causes COVID-19 is transmitted between people through close contact and droplets. People most at risk of acquiring the disease are those who are in contact with or care for patients with COVID-19. This inevitably places health care workers at high risk of infection. Protecting health care workers should be paramount importance to the Respondents herein. It is therefore, the Petitioner herein humbly praying for the following reliefs:

1. To formulate a National COVID19 Management Protocol for addressing the serious concerns relating to imminent and extreme risks posed to the health and safety of health care workers throughout the territory of India;
2. To ensure that Covid-19 protection kits are made available to every single health care professional working in the corona isolation wards, or who work in close proximity of patients suspected to be infected with the virus;
3. To ensure that adequate and standard nutritious meals are provided to the health care workers;
4. To ensure that all nurses and other health care staff in Corona wards are provided with proper accommodation in close proximity to the hospitals / health care centres where they are discharging medical duties and functions;
5. To ensure that adequate and prompt transport provided to all health care workers deputed in Corona wards;
6. To ensure proper screening of suspected patients before entering the hospitals and other medical facilities and also to ensure speedy testing of suspected cases.
7. To ensure that all health care workers are trained on infection prevention and control (IPC), proper use and disposal of Personal Protection Equipment (PPE) etc;
8. To ensure that the infrastructure of hospitals and health care centres are temporarily expanded so as to provide separate and hygienic washrooms for staff;
9. To expand the scope of personal accident cover provided under the ‘Pradhan Mantri Garib Kalyan Package Health Workers Fighting COVID-19’ to include all health care workers across sectors, including those recruited on ad-hoc basis.
10. To ensure that Landlords / Owners throughout the country be prohibited from adhering to the recent trend of evicting the health workers owing to their concern that their health will be in jeopardy.
11. To provide free testing facility and treatment for the health care workers in case of infection of Covid-19 while they are on duty. Families of the health care workers should be taken proper care while they are in quarantine or isolation.
12. To ensure that Private Hospitals are not charging or deducting salaries from the health care workers if they get infected Covid-19 while they are on duty.

**LIST OF DATES**

30.01.2020 India reported its 1st case of COVID-19 on 30th January, 2020.

11.03.2020 COVID-19 was declared as a pandemic by WHO on 11th March, 2020.

19.03.2020 World Health Organization (WHO) has issued an interim guidance on 19.03.2020, titled as “***Coronavirus disease (COVID-19) outbreak: rights, roles and responsibilities of health workers, including key considerations for occupational safety and health”*** for standardizing the rights, roles and responsibilities of health care workers globally.

29.03.2020 GNCTD Health & Family Welfare Department issued Order No. 52/DGHS/PH-IV/COVID-19/2020/prsecyfw/3603-09 whereby the Doctors working in Lok Nayak Hospital & GB Pant Hospital on Corona -19 duty were provided accommodation by Govt. of Delhi.

03.04.2020 A news article published in Business Today shows that nearly 50 healthcare personnel have been tested positive for novel coronavirus across India, according to Health Ministry officials. They include doctors, nurses and other paramedical staff.

04.04.2020 Hence this Writ Petition.

**IN THE SUPREME COURT OF INDIA**

**CIVIL ORIGINAL JURISDICTION**

**WRIT PETITION (CIVIL) NO. OF 2020**

**(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)**

**IN THE MATTER OF:**

UNITED NURSES ASSOCIATION

THROUGH ITS PRESIDENT

SHRI JASMINSHA M.

R/O. DOOR NO. 26/548/9,

CAPITAL CITY, KORAPPATH LINE,

ROUND NORTH, THRISSUR-680020,

KERALA. PETITIONER

VERSUS

1. UNION OF INDIA,

MINISTRY OF HEALTH & FAMILY WELFARE

THROUGH ITS SECRETARY

DEPT. OF HEALTH & FAMILY WELFARE

NEW DELHI-110001.

2. MINISTRY OF HOME AFFAIRS

THROUGH SECRETARY

SOUTH BLOCK,

NEW DELHI-110001.

3. MINISTRY OF LABOUR AND EMPLOYMENT

THROUGH SECRETARY

SHRAM SHAKTI BHAWAN

RAFI MARG, NEW DELHI-110001. RESPONDENTS

**PETITION UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA**

TO

THE HON’BLE CHIEF JUSTICE OF INDIA AND

HIS COMPANION JUSTICES OF

THE SUPREME COURT OF INDIA

THE HUMBLE PETITION OF

THE PETITIONER ABOVE NAMED

**MOST RESPECTFULLY SHOWETH:**

1. The present writ petition under Article 32 is preferred by the Petitioner herein to direct the Respondents to formulate a National Management Protocol for COVID19 for addressing the serious concerns relating to imminent and extreme risks posed to the health and safety of health care workers throughout the territory of India.

1A. The details of the Petitioner filing present Public Interested Litigation are as follows:

1. The Petitioner submits that this Petition is maintainable under Article 32 of the Constitution of India. The petitioner is a trade union of registered nurses and its office at House No. 194-195, First Floor, Pocket-5, Sector-25, Rohini, Delhi-110085. The e-mail id of the Petitioner is [unadelhincr@gmail.com](mailto:unadelhincr@gmail.com) and Mobile phone number is +91 9718056373. The annual income of the Petitioner is Rs. ­­­­­­­­­­­­­­­5,00,000. PAN Card and Aadhar Card numbers of Petitioner are ANLPJ6754C and 627973644268 respectively. A true copy of the identity proof of the Petitioner is annexed herewith and marked as **ANNEXURE P-1 (PAGE ).**
2. The present public interest writ petition is preferred by the Petitioner herein to direct the Respondents to formulate a National COVID19 Management Protocol for addressing the serious concerns relating to imminent and extreme risks posed to the health and safety of health care workers throughout the territory of India.
3. The Petitioner has no personal or political interest of any kind except the prosperity of the nation and the integrity of the nation’s administrative and legal processes aspiring for the welfare of the humanity as a whole. There is no civil, criminal, revenue or any litigation involving against the petitioner, which has or could have a legal nexus with the issues involved in this application.
4. That the petitioner is filing this Writ Petition on his own volition and he shall be liable to pay costs as ordered by this Hon’ble Court in the event it is found out that this petition is filed for any personal gain or oblique motive.
5. That the Petitioner has not filed any other petition seeking similar reliefs in this Hon’ble Court or any other courts in India.
6. That the instant Writ Petition is filed without any delay or laches and there is no legal bar in entertaining the same. The petitioner has no other alternative or efficacious remedy except to file the present Writ Petition under Order XXXVIII Rule 12 of ‘The Supreme Court Rules, 2013, before this Hon’ble Court, by invoking Article 32 of the Constitution of India.
7. That the petitioner seeks exemption from filing duly affirmed affidavit in the prevailing circumstances with an undertaking that deficit court fees will be paid subsequently. The petitioner further undertakes that the matter may be taken up through the Video Conferencing mode.
8. That the Annexures are true and correct copies of the respective originals.

**BRIEF FACTS:**

2. That the India reported its 1st case of COVID-19 on 30th January, 2020.

3. That the COVID-19 was declared as a pandemic by WHO on 11th March, 2020.

4. That the World Health Organization (WHO) has issued an interim guidance on 19.03.2020, titled as “***Coronavirus disease (COVID-19) outbreak: rights, roles and responsibilities of health workers, including key considerations for occupational safety and health”*** for standardizing the rights, roles and responsibilities of health care workers globally.

5. That the GNCTD Health & Family Welfare Department issued Order No. 52/DGHS/PH-IV/COVID-19/2020/prsecyfw/3603-09 whereby the Doctors working in Lok Nayak Hospital & GB Pant Hospital on Corona -19 duty were provided accommodation by Govt. of Delhi. A true copy of the Order No. 52/DGHS/PH-IV/COVID 19/2020/prsecyfw/3603-09 issued by GNCTD Health & Family Welfare Department dated 29.03.2020 is annexed herewith and marked as **ANNEXURE P-2 (PAGE TO ).**

6. That the news article published in Business Today shows that nearly 50 healthcare personnel have been tested positive for novel coronavirus across India, according to Health Ministry officials. They include doctors, nurses and other paramedical staff. A true typed copy of News article published in Business Today on 03.04.2020 titled as “Over 50 doctors, medical staff tested positive for coronavirus” is annexed herewith and marked as **ANNEXURE P-3 (PAGE TO ).**

7. That present public interest litigation is being preferred by petitioner out of growing concern of the unprecedented pandemic covid-19 which is posing a grave threat of deadly infection among the population of the country. It is admitted fact that our health infrastructure is dangerously outstretched understaffed and under resourced. This pandemic is dangerously devouring the life of the citizen of the country at the extraordinary rapidity with extraordinary fatalities.

8. That India reported its 1st case of COVID-19 on 30th January, 2020. It was a travel related case from Wuhan, China. Since then (as on 04 April, 2020), 2322 confirmed cases and 62 deaths have been reported from 27 States/UTs. Although there is no evidence to widespread community transmission, 20 existing and 22 potential hotspots have been identified by the Ministry of Health, Govt. of India.

9. That health care workers are at the front line of the COVID-19 outbreak response and as such are exposed to hazards that put them at risk of infection. Hazards include pathogen exposure, long working hours, psychological distress, fatigue, occupational burnout, stigma, and physical and psychological violence etc.

10. That current evidence suggests that the virus that causes COVID-19 is transmitted between people through close contact and droplets. People most at risk of acquiring the disease are those who are in contact with or care for patients with COVID-19. This inevitably places health care workers at high risk of infection. Protecting health care workers should be paramount importance to the Respondents herein.

11. That World Health Organization (WHO) issued an interim guidance on 19.03.2020, titled as “***Coronavirus disease (COVID-19) outbreak: rights, roles and responsibilities of health workers, including key considerations for occupational safety and health”*** for standardizing the rights, roles and responsibilities of health care workers globally. Unfortunately the Respondents herein did not formulate a National Management Protocol for COVID19 for addressing the serious concerns relating to imminent and extreme risks posed to the health and safety of medical personnel throughout the territory of India, amidst the currently persisting and ever escalating spread of the COVID-19 pandemic.

12. That the interim guidance issued by World Health Organization (WHO) for the rights and responsibilities of health workers, including the specific measures needed to protect occupational safety and health are reproduced hereunder:

***Health work rights, roles and responsibilities***

*Health worker rights include the expectation that employers and managers in health facilities:*

1. *Assume overall responsibility to ensure that all necessary preventive and protective measures are taken to minimize occupational safety and health risks;*
2. *Provide information, instruction, and training on occupational safety and health, including;*
3. *Refresher training on infection prevention and control (IPC);*
4. *Use, putting on, taking off and disposal of personal protective equipment (PPE);*
5. *Provide adequate IPC and PPE supplies (masks, gloves, goggles, gowns, hand sanitizer, soap and water, cleaning supplies) in sufficient quantity to those caring for suspected or confirmed COVID-19 patients, such that workers do not incur expenses for occupational safety and health requirements;*
6. *Familiarize personnel with technical updates on COVID-19 and provide appropriate tools to assess, triage, test, and treat patients, and to share IPC information with patients and the public;*
7. *Provide appropriate security measures as needed for personal safety;*
8. *Provide a blame-free environment in which health workers can report on incidents, such as exposures to blood or bodily fluids from the respiratory system, or cases of violence, and adopt measures for immediate follow up, including support to victims;*
9. *Advise health workers on self-assessment, symptom reporting, and staying home when ill;*
10. *Maintain appropriate working hours with breaks;*
11. *Consult with health workers on occupational safety and health aspects of their work, and notify the labour inspectorate of cases of occupational diseases;*
12. *Allow health workers to exercise the right to remove themselves from a work situation that they have reasonable justification to believe presents an imminent and serious danger to their life or health, and protect health workers exercising this right from any undue consequences;*
13. *Not require health workers to return to a work situation where there has been a serious danger to life or health until any necessary remedial action has been taken;*
14. *Honour the right to compensation, rehabilitation, and curative services for health workers infected with COVID-19 following exposure in the workplace – considered as an occupational disease arising from occupational exposure;*
15. *Provide access to mental health and counseling resources; and*
16. *Enable cooperation between management and health workers and their representatives.*

***Health workers should:***

1. *Follow established occupational safety and health procedures, avoid exposing others to health and safety risks, and participate in employer-provided occupational safety and health training;*
2. *Use provided protocols to assess, triage, and treat patients;*
3. *Treat patients with respect, compassion, and dignity; maintain patient confidentiality;*
4. *Swiftly follow established public health reporting procedures of suspected and confirmed cases;*
5. *Provide or reinforce accurate IPC and public health information, including to concerned people who have neither symptoms nor risk;*
6. *Put on, use, take off, and dispose of PPE properly;*
7. *Self-monitor for signs of illness and self-isolate and report illness to managers, if it occurs;*
8. *Advise management if they are experiencing signs of undue stress or mental health challenges that require supportive interventions; and*
9. *Report to their immediate supervisor any situation which they have reasonable justification to believe presents an imminent and serious danger to life or health.*

13. It is pertinent to mention that so far as seven doctors working in different hospitals and clinics in the National Capital have tested positive for Covid-19. A large number of health care workers including nurses, doctors, and other staffers are infected in various states like Maharashtra, Kerala, Delhi etc. At least 50 nurses are under quarantine / isolation throughout the country and many of them are tested positive for Covid-19. In Hindu Rao Hospital, Delhi itself the administration received 10-12 resignation over the last few days from the health care workers citing lack of PPEs as a reason. Many Govt. as well as private hospitals are shut down after health care workers tested positive for Covid-19.

**GROUNDS**

1. BECAUSE the health and safety of health care workers are of utmost importance because further shortage of health care workers would result in thousands of unattended COVID-19 patients, which would have serious repercussions with respect to economy, medical facilities, potential deaths and loss of human resource.
2. BECAUSE in this particular circumstance, a unanimously accepted belief is that the service of the health care workers are indispensible. It is the duty of the Governments to give them every possible help and assistance they direly need at this moment. Unfortunately, amid Covid-19 the following most common hardships being regularly faced by the health care workers throughout India.
3. Non-availability of sufficient personal protective equipment(PPE) in numerous hospitals throughout India;
4. Non-availability of sufficient number of COVID-19 testing kits;
5. Sub-standard Personal Protection Equipments (PPE);
6. Lack of training on infection prevention and control (IPC)
7. Lack of basic facilities in isolation wards; Isolation precautions are not being followed by WHO norms;
8. Hourly disinfection is not being done in the wards;
9. Mental harassment in the nature of forced over-time followed by negligible transport facilities and deduction of salary on account of leaves;
10. Health care workers who are pregnant, lactating or immune compromised are being forced to work;
11. Recent trend of eviction of health care workers from rented/leased property.
12. Lack of accommodation, food, transportation etc.
13. Lack of free medical support for the health care workers and their families.
14. Continuous breach of Government guidelines by private hospitals;
15. BECAUSE so far as seven doctors working in different hospitals and clinics in the National Capital have tested positive for Covid-19. A large number of health care workers including nurses, doctors, and other staffers are infected in various states like Maharashtra, Kerala, Delhi etc. At least 50 nurses are under quarantine / isolation throughout the country and many of them are tested positive for Covid-19. The administrators of Hindu Rao Hospital, Delhi received 10-12 resignation over the last few days from the health care workers citing lack of PPEs as a reason. Many Govt. as well as private hospitals are shut down after health care workers tested positive for Covid-19.
16. BECAUSE current evidence suggests that the virus that causes COVID-19 is transmitted between people through close contact and droplets. People most at risk of acquiring the disease are those who are in contact with or care for patients with COVID-19. This inevitably places health care workers at high risk of infection. Protecting health care workers should be paramount importance to the Respondents herein.

**PRAYER**

Under the circumstances, it is most respectfully prayed that this Hon’ble Court may be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction in nature thereof as follows:-

1. Direct Respondent No.1 to formulate a National COVID19 Management Protocol for addressing the serious concerns relating to imminent and extreme risks posed to the health and safety of health care workers throughout the territory of India; and
2. Direct Respondent No.1 to ensure that Covid-19 protection kits are made available to every single health care professional working in the corona isolation wards, or who work in close proximity of patients suspected to be infected with the virus; and
3. Direct Respondent No.1 to ensure that all health care workers are trained on infection prevention and control (IPC), proper use and disposal of Personal Protection Equipment (PPE) etc;
4. Direct Respondent No.1-3 to ensure that adequate and standard nutritious meals are provided to the health care workers; and
5. Direct Respondent No.1-3 to ensure that all nurses and other health care staff in Corona wards are provided with proper accommodation in close proximity to the hospitals / health care centres where they are discharging medical duties and functions; and
6. Direct Respondent No.1-3 to ensure that adequate and prompt transport provided to all health care workers deputed in Corona wards; and
7. Direct Respondent No.1 to ensure proper screening of suspected patients before entering the hospitals and other medical facilities and also to ensure speedy testing of suspected cases; and
8. Direct Respondent No.1 to ensure that the infrastructure of hospitals and health care centres are temporarily expanded so as to provide separate and hygienic washrooms for staff; and
9. Direct Respondent No.1-3 to expand the scope of personal accident cover provided under the ‘Pradhan Mantri Garib Kalyan Package Health Workers Fighting COVID-19’ to include all health care workers across sectors, including those recruited on ad-hoc basis; and
10. Direct Respondent No.2 ensure that Landlords / Owners throughout the country be prohibited from adhering to the recent trend of evicting the health workers owing to their concern that their health will be in jeopardy; and
11. Direct Respondent No.1&3 to provide free testing facility and treatment for the health care workers in case of infection of Covid-19 while they are on duty. Families of the health care workers should be taken proper care while they are in quarantine or isolation; and
12. Direct Respondent No.1&3 to ensure that Private Hospitals are not charging or deducting salaries from the health care workers if they get infected Covid-19 while they are on duty; and
13. Pass any other or further orders as may be deemed fit and proper in the circumstances of the case.

**AND FOR THIS ACT OF KINIDNESS THE PETITIONER SHALL AS IN DUTY BOUND EVER PRAY.**

DRAWN BY:

SUBHASH CHANDRAN K.R.

ADVOCATE

Filed by:

**(BIJU P. RAMAN)**

**ADVOCATE FOR THE PETITIONER**

Drawn on: 01.04.2020

Place: New Delhi

Dated: 04.04.2020

**IN THE SUPREME COURT OF INDIA**

**CIVIL ORIGINAL JURISDICTION**

**WRIT PETITION (CIVIL) NO. OF 2020**

**(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)**

**IN THE MATTER OF:**

UNITED NURSES ASSOCIATION

THROUGH ITS PRESIDENT PETITIONER

VERSUS

UNION OF INDIA & ORS. RESPONDENTS

**AFFIDAVIT**

I, Jasminsha M., Aged about 34 Years, S/o. Muhamed, President United Nurses Association, Door No. 26/548/9, Capital City, Korappath Line, Round North, Thrissur-680020, Kerala, Presently at \_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby solemnly affirm and state as follows:

1. That I am the Petitioner in the instant matter and as such, I am well conversant with the facts and circumstances of the case on behalf of other Petitioners also.

2. I say that I have read and understood the contents of the Synopsis and List of Dates at Pages \_\_\_\_ to \_\_\_\_ and contents of Para \_\_\_\_ to \_\_\_\_ at Pages \_\_\_\_\_ to \_\_\_\_ of the Writ Petition and connected applications at Pages \_\_\_ to \_\_\_\_\_\_and state that the facts mentioned therein are true to my knowledge and belief and information derived from the records of the case as per the legal advice received and believed by me. I say that the facts and circumstances stated in the Writ Petition and the Applications are true and correct.

3. That I Say that there is no personal gain, private or oblique reason for the petitioner in filing the instant Public Interest Litigation.

4. That the annexures filed along with this Writ Petition are true copies of their respective originals.

5. I say that the averments of facts stated herein above are to best of my knowledge and no part of it is false and nothing material has been concealed there from.

**DEPONENT**

**VERIFICATION**

I the above deponent affirm that the contents of Para 1 to 5 of this affidavit are true and correct to my knowledge and belief and no part of it is false and nothing material has been concealed there from.

Verified at \_\_\_\_\_\_\_\_\_\_\_\_\_\_ this the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_, 2020.

**DEPONENT**

**IN THE SUPREME COURT OF INDIA**

**CIVIL ORIGINAL JURISDICTION**

**I.A. NO. OF 2020**

**WRIT PETITION (CIVIL) NO. OF 2020**

**(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)**

**IN THE MATTER OF:**

UNITED NURSES ASSOCIATION

THROUGH ITS PRESIDENT PETITIONER

VERSUS

UNION OF INDIA & ORS. RESPONDENTS

**APPLICATION FOR EXEMPTION FROM FILING ATTESTED / NOTARIZED AFFIDAVIT**

TO,

THE HON’BLE CHIEF JUSTICE OF INDIA

AND HIS COMPANION JUDGES OF

SUPREME COURT OF INDIA

THE HUMBLE PETITION OF THE

APPLICANT PETITIONER ABOVE-NAMED

**MOST RESPECTFULLY SHOWETH:**

1. The present writ petition under Article 32 is preferred by the Petitioner herein to direct the Respondents to formulate a National Management Protocol for COVID19 for addressing the serious concerns relating to imminent and extreme risks posed to the health and safety of health care workers throughout the territory of India.
2. Further, the Petitioner is in an extremely critical position as he has been detected with forms of cancerous tumor, the details of which are elaborately explained in the accompanying Petition. Therefore, owing to his extreme medical conditions and in view of the Nationwide Lockdown, due to which various technical/clerical work could not have been completed at present, the Petitioner is compelled to approach this Hon’ble Court by way of the present application, seeking exemption from filing attested copy of his Pairokar’s Affidavit.
3. That for the sake of brevity, the facts and contents of the above titled Petition are not reproduced herein, and the Petitioner thus craves the leave of this Hon’ble Court to consider the same as a part of the present application.
4. That the Pairokar in the present case, who would have sworn on the Affidavit is the wife of the Petitioner herein, namely Mrs. Deepika Nilesh Baswant, who is a resident of Pune. Pertinently, owing to the “Nation Lockdown”, none of the notarizing officials were available in Pune, due to which the Pairokar was rendered unable to attest/verify the accompanying Affidavit. Moreover, the Pairokar is well versed with the contents of the Petition and had duly verified the same, but solely due to non-availability of any notarizing agent in Pune because of the stringent lockdown, she could not attest the same and send it to the Counsel’s office in Delhi.
5. That as soon as the lockdown expires, it is hereby undertaken that the Pairokar will expeditiously send the duly verified and attested copy of the Affidavit to Delhi and accordingly, the same will be placed on record as and when received.
6. That the balance of convenience lies in favor of the Applicant.
7. That the instant application is made in bona fide and in the interest of justice.

**PRAYER**

It is therefore, most respectfully prayed that this Hon’ble Court may be pleased to:

1. Allow the present application and kindly grant exemption to the Petitioner from filing Attested/Notarized Affidavit on record at present, and/or;
2. Pass any other or further orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.

**AND FOR THIS ACT OF KINDNESS THE PETITIONER AS IN DUTY BOUND SHALL EVER PRAY.**

FILED BY

**DEEPAK PRAKASH**

ADVOCATE FOR THE PETITIONER

Dated: 04.04.2020

Place: New Delhi