

**IN THE COURT OF PR. DISTRICT & SESSIONS JUDGE
BUDGAM
(Chairman District Legal Services Authority Budgam)
(Through whatsApp video conferencing)**

In the case of:

Advocate Javed Mohammad Hubi
License No. 388/2003
WhatsApp: 9419006586
Mobile No. 7780804343
E-Mail: jmhubi@gmail.com

Chamber No. 15-B, District Court Complex Budgam
U.T of Jammu and Kashmir

Through: (Amicus Curie for District Budgam)

Petitioner

V/S

Union Territory of J & K Through:

1. Director General of Police Jammu and Kashmir
2. Deputy Commissioner Budgam
3. Sr. Superintendent of Police Budgam
4. Dy.S.P (Head Quarter)
5. SDPO Charari-sharief
6. SDPO Khansahib
7. SDPO Magam

Through:

NEMO

Respondents

CORAM: Raja Shujat Ali

PETITION UNDER LEGAL SERVICES AUTHORITY ACT, 1987, SEEKING DIRECTION UPON RESPONDENTS TO PROVIDE PERSONAL PROTECTIVE EQUIPMENT (PPE KITS) FOR COPS ON COVID-19 DUTIES.

ORDER

This is a petition moved by Amicus-Curie Mr. Javed M. Hubi (Advocate) seeking therein direction upon respondents to provide Personal Protective Equipment (PPE KITS) for cops/police personals on COVID-19 duties.

The facts giving rise to the filing of the petition are as under:-

That the petitioner was nominated as Amicus Curie by this court in compliance to the directions passed by Honb'le

Common High Court of U.T J&K and Ladakh vide order No.1579/GS Dated: 17-04-2020. That the petitioner came into knowledge by a news item published in INDIA TODAY on April 20, 2020 **Heading (Jammu and Kashmir cop tests positive for Coronavirus)**. That the petitioner being a member of society, is very much interested into the welfare and wellbeing of police personals who are putting their lives in danger while performing their duties in or around the quarantine centers. This spirit has constrained the petitioner to move this petition before this forum. That the role of police in enforcing the lockdown in U.T of J & K has also been hailed by the worthy Union Home Minister, the same news was published by a leading daily news paper GREATER KASHMIR in its issue dated April 19, 2020.

It is further averred in the petition that recently two police personals one from Baramullah and another from Budgam have tested positive for CoronaVirus by which dozens of police personals were quarantined and God forbidden if the number of cases in the police department will increase, it will have very adverse consequences upon the whole society as we all know police is the only agency which is implementing the lock down in present times. That the police personals had to move closely with health professionals to identify and shift the COVID-19 suspected cases to hospitals or to quarantine centers and in case they are not protected by PPE, there are chances that either they may loose their life or interest in their duties. Hence this petition.

Perused the petition and also heard the Amicus Curie telephonically, issue notice to the to the respondents through whatsApp/email or through social networking mode.

I am of the view that the persistent struggle against the ongoing pandemic covid19 would be incomplete without appreciating the role played by police personnel's of J&K police, that happens to be the first line of defence in making the concept of "social distancing" truly possible .These police personnel's while protecting us are equally vulnerable to the risk of contacting the lethal Covid19 infection especially the personnel's deputed near quarantine centres and the declared hot zones. In the wake of the pleadings above, till the response is filed by the respondents, it becomes mandatory on part of State to protect the lives of these personnel's by providing minimum basic safety standards like providing masks, hand gloves and sufficient quantity of sanitizers.

SSP Budgam is directed accordingly to provide the safety gears to the police personnel's who are posted and are performing their duties to combat the epidemic in and around the hospitals, quarantine centers and hotspot zones within a weeks time. In case of any short fall vis-a-vis the availability of these items the SSP BUDGAM shall approach DC Budgam for providing the said items .The DC BUDGAM shall provide the same on priority basis. The order be served upon learned SSP and learned DC BUDGAM by system officer e-court through mail/social networking (WhatsApp) .

Let the matter come up again along with response of respondents on 15th May 2020.

ANNOUNCED
21-04-2020

Sd/-
Pr. District Judge
Budgam