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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 3031/2020

RAKESH MALHOTRA

..... Petitioner

In person.

versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
INDIA AND ORS

..... Respondent

Through Mr. Sandeep Sethi, Sr. Advocate with
Mr. Satyakam, ASC for GNCTD.

Mr. Anurag Ahluwalia, Standing Counsel for the
UOI.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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23.12.2020

HEARD THROUGH VIDE CONFERENCING

CM No.12106/2020 (by the petitioner for directions)

1. Pursuant to the order dated 3.12.2020, Mr. Sethi, learned Senior Advocate states that Mr. Satyakam, learned ASC appearing for the Delhi Government has filed the details relating to the district-wise positivity rate from 1.12.2020 to 19.12.2020, a tabular chart containing the number of tests on a method-wise basis undertaken in Delhi from 11.12.2020 to 21.12.2020 and a chart reflecting the number of cases on a daily basis, number of containment zones, fatality rate, positivity percentage and mortality percentage in Delhi.

2. On a perusal of the documents filed by the Delhi Government under index dated 22.12.2020, the picture that emerges is encouraging, as of now. The positivity rate has climbed down in the Central District from 2.99 on 1.12.2020 to 1.35 as on 19.12.2020, in East District, from 5.16 to 1.57, in New Delhi District from 5.31 to 1.32, in North District from 4.55 to 0.57, in North-East District from 2.52 to 1.40, in North-West District from 7.29 to 2.12, in Shahdra District from 6.91 to 1.34 and in South District from 4.17 to 1.21, during the same period.

3. It is stated that GNCTD is enhancing contact tracing and creating more Containment zones in districts where the positivity rate is higher and in a meeting of the DDMA conducted on 21.12.2020, it has been decided that GNCTD will follow “Representative Testing” that will focus more on the districts/pockets where the positivity rate is higher.

4. A perusal of the testing data from 11.12.2020 to 21.12.2020 shows that the number of tests conducted through RAT were 40827 as on 11.12.2020 and 42543 as on 21.12.2020. Testing conducted through RTPCR and other similar modes was 35793 as on 11.12.2020 and 39843 as on 21.12.2020. For the aforesaid period, the total testing through RAT is 418815 and through RTPCR and other similar modes is 452428. The positivity rate in Delhi between 11.12.2020 to 20.12.2020 shows that it has climbed down from 2.64 to 1.29. It may be emphasized that while following the “Representing Testing”, suggested by DDMA, Delhi Government shall ensure that testing through RTPCR remains higher than through RAT.

5. Keeping in mind the recent decision of the Central Government of suspending flights from U.K. to India till 31.12.2020 due to an apprehension of transmission of a corona virus variant that can spread very fast and the

fact that a large number of persons had flown into Delhi before suspension of flights from U.K., Delhi Government shall ensure prompt and adequate testing and follow up in respect of those found positive with all seriousness to avoid another spate of infection in the city.

6. Mr. Malhotra, the petitioner submits that persons who have recovered from COVID-19 infection continue facing serious health issues and are finding it difficult to go back to normal life. He states that Delhi Government may be called upon to address the issue by preparing a SOP for those suffering from post COVID complications relating to the lungs and other vital organs. The Expert Committee already constituted by the Delhi Government shall examine the aforesaid aspect and come up with a SOP, which will be given wide publicity. Needful shall be done within two weeks. A copy of the SOP shall be filed alongwith the next Status Report.

7. List on 14.1.2021.

HIMA KOHLI, J

SUBRAMONIUM PRASAD, J

DECEMBER 23, 2020

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