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

+ **W.P.(CRL) 115/2022**

AZHAR RASHEED

.....Petitioner

Through: None.

versus

STATE NCT OF DELHI AND ORS.

.....Respondents

Through: Ms. Pratima N. Lakra, CGSC with
Mr. Chandan Prajapati and
Ms. Kashish G. Baweja, Advocates for
Ministry of Health & Family Welfare.
Mr. Amol Sinha, ASC (Crl.) for State
with Mr. Ashvini Kumar, Advocate.

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

13.01.2025

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1. The case involves death of Athar Rasheed aged about 35 years, who died owing to negligence in carrying the process of hair transplantation by unqualified professionals at United Hair Studio, Delhi. The need for framing of necessary guidelines and protocols for hair transplantation was emphasized by this Court vide order dated 11.05.2022. Observations in para 7 may be quoted for reference :

“7. Considering the facts and circumstances, it is imperative that necessary steps are taken by the Ministry of Health and Family Welfare, Government of India as well as Govt. of NCT of Delhi to ensure that such mushrooming Salons carrying hair transplantation procedures under unprofessional hands without requisite qualification and in absence of medical supervision, are checked. Requisite safeguards need to be ensured for safety of the persons who



undertake the aforesaid treatment. Also, the public at large needs to be made aware that such hair transplantation procedures/aesthetic surgeries can be fatal at the hands of unqualified professionals, which require strict medical supervision. In case any such medical protocols have not been established for guidance of medical practitioners, the same need to be framed at national level, in view of upcoming aesthetic surgeries and hair transplantation procedures.

Necessary action in this regard be also taken up by the Commissioner of Police, Delhi to ensure that similar incidents of medical malpractice are not repeated and action is taken against such Salons wheresoever the hair transplantation treatment/aesthetic surgery is being extended at the hands of technicians or unqualified professionals without any medical supervision in defiance of established protocols and norms.”

2. Learned ASC (Crl.) for State submits that pursuant to order dated 11.05.2022, the chargesheet has since been filed after investigation, against the accused.
3. Ms. Pratima N. Lakra, learned CGSC for Ministry of Health and Family Welfare, Govt. of India, submits that status report in terms of Minutes of Meeting dated 18.07.2023, which was held under the Chairmanship of DGHS, Ministry of Health and Family Welfare, Govt. of India, has been placed on record. Further, draft Minimum Standards for Hair Transplantation Centres have been finalised and approved after consultation and presentation during the meeting of the National Council for Clinical Establishments held on 10.05.2024. She further states that necessary steps shall be taken by the Ministry of Health and Family Welfare, Govt. of India for implementation of the same.



4. Taking the statement of learned CGSC for Ministry of Health and Family Welfare, Govt. of India, on record, the writ petition is disposed of with directions to take steps for implementing the Minimum Standards for Hair Transplantation Centres, as finalised and approved in the meeting of the National Council for Clinical Establishments held on 10.05.2024. The steps taken by Ministry of Health and Family Welfare, Govt. of India for formulation of Minimum Standards for Hair Transplantation Centres are appreciated.

A copy of this order be forwarded to the Secretary, Ministry of Health and Family Welfare, Government of India, Secretary (Health), Government of NCT of Delhi and Director General of Health Services (DGHS), Government of NCT of Delhi, for forwarding the compliance report within four weeks.

Pending applications, if any, also stand disposed of.

ANOOP KUMAR MENDIRATTA, J.

JANUARY 13, 2025/R