

मध्यप्रदेश शासन
लोक स्वास्थ्य एवं परिवार कल्याण विभाग
मंत्रालय, भोपाल

क्रमांक/आईडीएसपी/2020/737

भोपाल दिनांक 02-06-2020

प्रति,

1. कलेक्टर (समस्त)
 2. आयुक्त नगर निगम/नगर पालिका निगम (समस्त)
 3. मुख्य कार्यपालन अधिकारी, जिला पंचायत (समस्त)
- मध्यप्रदेश ।

विषय:- कोविड-19 को दृष्टिगत रखते हुए एंकाकी दुकानों के संचालन के संबंध में।

संदर्भ:- (1) प्रमुख सचिव, गृह विभाग के आदेश क्रमांक 189/2020/सी-2 दिनांक 31-05-2020।

(2) सचिव भारत सरकार तथा अध्यक्ष, राष्ट्रीय प्रबंधन समिति (एन. एण्ड एम.ए.) का आदेश क्र. 40-3/2020-DM-I(A) दिनांक 30 मई, 2020 ।

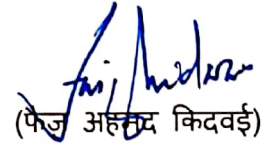
उपरोक्त विषयांतर्गत लॉकडाउन में दी जा रही छूट उपरान्त विभिन्न जिलों में एंकाकी (Stand Alone) दुकानें खोली जा रही हैं। पूर्व में ऐसे प्रकरण सामने आये हैं जहाँ दुकानों के कर्मचारियों द्वारा अथवा दुकानों पर आये ग्राहकों के माध्यम से संक्रमण फैलने की घटना हुई है। इस संबंध में यह सुनिश्चित किया जाये कि दुकानों पर भीड़ एकत्रित न हो एवं सभी सुरक्षा उपाय अपनाये जाकर ही दुकाने खोली जायें। इस संबंध में निम्न निर्देश दिये जा रहे हैं:-

1. भारत सरकार का आदेश परिशिष्ट-2 (संलग्न है) में स्पष्ट किया गया है कि सभी सार्वजनिक क्षेत्रों में मुंह पर मास्क लगाना एवं सोशल डिस्टेंसिंग अनिवार्य की गई है तथा भीड़भाड़ को कम रखने के निर्देश दिये गये हैं ।
2. प्रत्येक दुकान पर हाथों को साफ रखने के लिए हैंड सेनेटाईजर अथवा साबुन से हाथ धोने की व्यवस्था उपलब्ध हो, ताकि जो लोग दुकानों में आये हैं वे हाथ धोकर /सेनेटाईजर लगाकर दुकान में प्रवेश कर सकें। सभी अंगतुकों को मास्क लगाना अनिवार्य किया जाये, बिना मास्क के किसी भी अंगतुकों का प्रवेश निषेध रखा जाये ।
3. दुकानदारों को प्रोत्साहित किया जाये कि वे ग्राहकों एवं कर्मचारियों के लिए अतिरिक्त मास्क उपलब्ध करायें जिसका वितरण वे निःशुल्क अथवा सशुल्क कर सकते हैं। इस संबंध में ग्रामीण आजीविका मिशन के समूहों के द्वारा भी कपड़ों के मास्क बनाये जा रहे हैं जिसका विक्रय मूल्य 10 रुपये है। ऐसे मास्क दुकानदार भी उन अंगतुकों के लिए रख सकते हैं जो बिना मास्क के दुकानों में आते हैं।

4. दुकानों के क्षेत्रफल के अनुसार एवं लोगों के बीच सोशल डिस्टेंसिंग (कम से कम डेढ़ मिटर की दूरी) का पालन करते हुए एक समय में अधिकतम लोग जिसमें दुकान के स्वयं के कर्मचारी एवं ग्राहकों के प्रवेश की अनुमति होनी चाहिये। दुकान के कर्मचारी जो काउण्टर पर बैठते हैं, के लिए मास्क लगाना अनिवार्य होगा तथा वे ग्राहकों से निश्चित दूरी अपनाकर ही उनकी खरीददारी में सहायता करेंगे। भारत सरकार द्वारा दिये गये संदर्भित आदेश की संलग्न (Annexure) 1 में किसी भी दुकान में एक समय में 5 ग्राहकों से अधिक व्यक्ति न हो यह सुनिश्चित करें।
5. दुकानदार यह भी सुनिश्चित करें कि दुकानों में ग्राहकों के द्वारा कम से कम चीजों को छुआ जाये एवं विक्रेता (salesman) के द्वारा ही चीजें दिखाई जाकर ही सामनों का विक्रय किया जाये ऐसे प्रयास करने चाहिए।
6. दुकानों के काउण्टर, फर्श इत्यादि को नियमित तौर पर विसंक्रमित किया जाये। इसके लिए धातुओं की सतह (Metal surface), कम्प्यूटर तथा ऐसी वस्तु जो जंग खा सकती/ खराब हो सकती है उनको एल्कोहॉल बेस्ड सेनेटाइजर से तथा अन्य जगह जैसे फर्श, टाइल्स इत्यादि को एक प्रतिशत सोडियम हाईपोक्लोराइड साल्यूशन से विसंक्रमित किया जा सकता है। इसके लिए मोटे तौर पर दो भाग साल्यूशन तथा आठ भाग पानी मिलाकर सफाई करी जा सकती है।
7. दुकानदार को स्पष्ट किया जाये कि दुकान में कोई भी अस्वस्थ कर्मचारी जिसको बुखार, सर्दी-जुखाम के लक्षण हों वे दुकान पर न आयें, केवल स्वस्थ कर्मचारियों से ही दुकानों का संचालन किया जाये ताकि संक्रमण फैलने का खतरा न बढ़े। जिन दुकानों में प्रतिक्षा कक्ष है वहाँ पर कक्ष में सोशल डिस्टेंसिंग रखा जाये। इसके अतिरिक्त जहाँ-जहाँ पर Over The Counter विक्रय है तथा दुकानों के अंदर ग्राहकों का प्रवेश नहीं है वहाँ पर काउण्टर के बाहर ग्राहकों में सोशल डिस्टेंसिंग अपना कर कम से कम डेढ़ मिटर की दूरी बनाकर ही विक्रय किया जाये।
8. इस संबंध में प्रचार-प्रसार की सामग्री पेम्प्लेट्स, पोस्टर इत्यादि का प्रारूप तैयार कर दुकानों को दिया जा सकता है जिसको वे दुकान के बाहर तथा दुकान के अंदर ग्राहकों की जागरूकता के लिए प्रदर्शित करें। इसके साथ साथ नगर निगम के वाहनों के माध्यम से बाजारों में लाउड स्पीकर से प्रचार प्रसार किया जावे। विशेषकर मास्क लगाना, सोशल डिस्टेंसिंग एवं बाजार में सावधानी बरतने के संबंध में निर्देश दिये जावे।
9. इस संबंध में अधिकारीगण स्थानीय व्यापारी संघ विशेषकर बाजार के क्षेत्रों के व्यापारी संघ के प्रतिनिधियों के साथ बैठक करके आवश्यक निर्देशों का पालन करवाना सुनिश्चित करें तथा उनको सामुहिक जवाबदारी सौंपी जावे। जिस दुकानदार द्वारा निर्देशों का पालन नहीं किया जाता है और जहाँ पर दुकानदार अथवा उसका कर्मचारी संक्रमित पाया जाता है उसके विरुद्ध आवश्यक कार्यवाही करते हुये आसपास की दुकानों को भी सील किया जावेगा यह स्पष्ट कर दिया जाये ताकि सामुहिक जवाबदारी बनी रहे।

10. दुकान एवं प्रतिष्ठान अधिनियम, (Shops & Establishment Act) नगर पालिका/ नगर पंचायत अधिनियम/ ग्राम पंचायत अधिनियम तथा महामारी नियंत्रण अधिनियम (epidemic control Act) M.P. Public Health Act 1949 में स्थानीय स्तर पर अधिकारियों को आवश्यक कार्यवाही करने, जुर्माना इत्यादि लगाने का अधिकार प्रदत्त किये गये हैं। इस संबंध में वे उक्त अधिकारों का प्रयोग करके सभी दुकानों को पालन करने के लिए लिखित आदेश जारी करें। जिन दुकानों पर इसका पालन नहीं हो रहा है उन पर जुर्माना लगाया जाये और यदि पुनः त्रुटि पायी जाती है तो दण्ड के तौर पर एक निश्चित अवधि के लिए दुकान बंद करने के आदेश दिये जायें। M.P. Public Health Act 1949, Epidemic Control Act, Disaster Management Act की आवश्यक धाराओं की प्रति संलग्न है।

नोट:- उक्त निर्देश केवल एकांकी (Stand alone shops) दुकानों के लिए हैं। शॉपिंग माल इत्यादि के लिए पृथक से निर्देश जारी किये जायेंगे।


(फैज अहमद किदवाई)

प्रमुख सचिव,

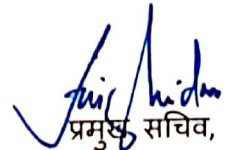
लोक स्वास्थ्य एवं परिवार कल्याण विभाग

भोपाल दिनांक 02-06-2020

पृ.क्रमांक/आईडीएसपी/2020/738

प्रतिलिपि:-

1. अपर मुख्य सचिव, पंचायत एवं ग्रामीण विभाग
2. अपर मुख्य सचिव, लोक स्वास्थ्य एवं परिवार कल्याण विभाग
3. प्रमुख सचिव, नगरीय विकास एवं आवास विभाग
4. प्रमुख सचिव, गृह विभाग


प्रमुख सचिव,

लोक स्वास्थ्य एवं परिवार कल्याण विभाग

मध्यप्रदेश शासन
गृह विभाग
मंत्रालय

वल्लभ भवन, भोपाल -462004

क्रमांक 189 / 2020 / सी-2

भोपाल, दिनांक 31.05.2020

प्रति,

समस्त कलेक्टर एवं जिला दण्डाधिकारी
मध्यप्रदेश।

विषय:-कोरोना वायरस संक्रमण के रोकथाम एवं बचाव हेतु आवश्यक
दिशा-निर्देश।

कृपया विभाग के पत्र क्रमांक 164 / 2020 / सी-2 भोपाल दिनांक 18.05.2020 का अवलोकन हो जिसके साथ लाकडाउन की अवधि विस्तारण के आदेश एवं उसके साथ संलग्न गाईडलाइन्स की प्रति पालनार्थ प्रेषित की गयी थी।

2. भारत शासन गृह मंत्रालय ने 30 मई 2020 के आदेश द्वारा कंटेनमेंट जोन में लाकडाउन की अवधि को 30 जून 2020 तक के लिए बढ़ाया है एवं पूर्व से प्रतिबंधित गतिविधियों को चरणबद्ध तरीके से प्रारम्भ करने के दिशा निर्देश जारी किये हैं। इस संबंध में जारी आदेश एवं गाईडलाइन्स इस पत्र के साथ संलग्न हैं। इनका पालन सुनिश्चित किया जावे।


3. भारत शासन के आदेश में राज्यों को उनके यहाँ जमीनी स्थितियों का आकलन कर कंटेनमेंट क्षेत्र के बाहर विहित गतिविधियों को प्रतिबंधित करने या सशर्त संचालन के निर्देश दिये गये हैं।

4. राज्य शासन द्वारा 15 जून 2020 तक के लिए निम्नानुसार अतिरिक्त दिशा-निर्देश जारी किये जाते हैं:-

- (i) राज्य के अंदर तथा बाहर से आने-जाने के लिए पास की आवश्यकता नहीं होगी।
- (ii) अन्तर्राज्यीय बसों का संचालन 07 जून 2020 तक बंद रहेगा।

- (iii) राज्य के भीतर इंदौर, उज्जैन एवं भोपाल संभाग के सभी जिलों में यात्री बसों का संचालन 7 जून 2020 तक बंद रहेगा। परन्तु पैकेट्री संचालन तथा निर्माण कार्यों में लगे मजदूरों के परिवहन के लिए लगी बसों इस प्रतिबंध से मुक्त होंगी। शेष सात संभागों में यात्री बसों का संचालन 50 प्रतिशत क्षमता के साथ किया जायेगा।
- (iv) इंदौर, उज्जैन, बुरहानपुर नगर निगम एवं नीमच नगर पालिका की सीमा क्षेत्र में बाजार एवं बाजार परिसर में स्थित 25 प्रतिशत दुकानें, भोपाल नगर निगम की सीमा क्षेत्र में 33 प्रतिशत दुकानें तथा देवास, खण्डवा नगर निगम एवं धार नगरपालिका की सीमा क्षेत्र में 50 प्रतिशत दुकानें रोटेशन के आधार पर बारी-बारी से खुलेंगी। परन्तु स्टैंड एलान दुकानें, राज्य शासन द्वारा लायसेंस प्राप्त दुकानें, माहल्ल की दुकानें रहवासी परिसर में स्थित दुकानें तथा बाजारों/बाजार परिसर में स्थित आवश्यक वस्तुओं की दुकानें इस प्रतिबंध से मुक्त रहेंगी। इन नगरनिगम/नगर पालिका की सीमा के बाहर स्थित सभी प्रकार की दुकानें सामान्य स्थिति में खुली रहेंगी।
- (v) स्कूल, कॉलेज शैक्षणिक संस्थाएँ बंद रहेंगी। किन्तु 12वीं बोर्ड की परीक्षाएँ स्कूल शिक्षा विभाग के प्रसारित कार्यक्रम अनुसार यथावत सम्पन्न होंगी।
- (vi) इंदौर, भोपाल एवं उज्जैन नगरनिगम क्षेत्र में स्थित शासकीय एवं निजी कार्यालय 50 प्रतिशत कर्मचारियों की क्षमता के साथ एवं अन्य स्थानों पर कर्मचारियों की पूरी क्षमता के साथ खुलेंगे। सभी शासकीय कार्यालयों में अधिकारियों की उपस्थिति शतप्रतिशत रहेगी।
- (vii) अत्यावश्यक सेवाओं को छोड़कर शेष समस्त गतिविधियाँ रात्रि 9 बजे से सुबह 5 बजे तक प्रतिबंधित रहेंगी।

कृपया उक्त निर्देशों का कड़ाई से पालन किया जाए।


(एस. एन. मिश्रा)
प्रमुख सचिव
गृह विभाग

क्रमांक 190 / 2020 / सी-2
प्रतिलिपि :-

भोपाल, दिनांक 31 05 2020

1. प्रमुख सचिव, मुख्यमंत्री कार्यालय।
 2. उप सचिव, मुख्य सचिव कार्यालय।
 3. समस्त अपर मुख्य सचिव/प्रमुख सचिव/सचिव मध्यप्रदेश शासन का प्रेषित कर अनुरोध है कि कृपया अपने से संबंधित विभाग के विभागाध्यक्षों को उक्त के संबंध में अपने स्तर से आवश्यक निर्देश जारी करने का कष्ट करें ताकि विभागों के मैदानी अधिकारी/कर्मचारियों द्वारा उन निर्देशों का मैदानी स्तर पर क्रियान्वयन सुनिश्चित किया जा सके।
 4. पुलिस महानिदेशक, मध्यप्रदेश। कृपया अपने स्तर से संबंधित पुलिस अधिकारियों को निर्देशित करने का कष्ट करें ताकि लॉक डाउन के निर्देशों का जिले एवं थाने स्तर पर पालन सुनिश्चित किया जा सके।
 5. समस्त संभागायुक्त, मध्यप्रदेश।
 6. परिवहन आयुक्त, मध्यप्रदेश। कृपया आप अपने स्तर से जिला स्तरीय अधिकारियों/कर्मचारियों को एवं प्रवर्तन अमले को निर्देशित करने का कष्ट करें ताकि परिवहन/ आवागमन के संबंध में जारी निर्देशों का पालन सुनिश्चित किया जा सके।
 7. समस्त जूनियर अति. पुलिस महानिदेशक/पुलिस महानिरीक्षक, मध्यप्रदेश।
 8. समस्त पुलिस अधीक्षक मध्यप्रदेश।
- की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु ।


प्रमुख सचिव,
गृह विभाग

No. 40-3/2020-DM-I(A)
Government of India
Ministry of Home Affairs

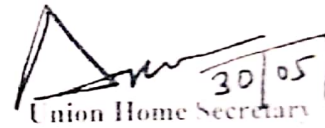
North Block, New Delhi-110001
Dated 30th May, 2020

ORDER

Whereas, an Order of even number dated 17.05.2020 was issued for containment of COVID-19 in the country, for a period upto 31.05.2020;

Whereas, in exercise of the powers under section 6(2)(i) of the Disaster Management Act, 2005, National Disaster Management Authority (NDMA) has directed the undersigned to issue an order to extend the lockdown in Containment Zones upto 30.06.2020, and to re-open prohibited activities in a phased manner in areas outside Containment Zones;

Now therefore, in exercise of the powers, conferred under Section 10(2)(i) of the Disaster Management Act 2005, the undersigned hereby directs that guidelines, as *Annexed*, will remain in force upto 30.06.2020.


30/05/2020
Union Home Secretary

and, Chairman, National Executive Committee (NEC)

To:

1. The Secretaries of Ministries/ Departments of Government of India
 2. The Chief Secretaries/Administrators of States/Union Territories
- (As per list attached)

Copy to:

- i. All members of the National Executive Committee
- ii. Member Secretary, National Disaster Management Authority

Guidelines for Phased Re-opening (Unlock 1)

[As per Ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-1 (A) dated 30th May, 2020]

1. Phased re-opening of areas outside the Containment Zones

In areas outside Containment Zones, all activities will be permitted, except the following, which will be allowed, with the stipulation of following Standard Operating Procedures (SOPs) to be prescribed by the Ministry of Health and Family Welfare (MoHFW), in a phased manner.

Phase I

The following activities will be allowed with effect from 8 June, 2020

- (i) Religious places/ places of worship for public.
- (ii) Hotels, restaurants and other hospitality services.
- (iii) Shopping malls.

Ministry of Health & Family Welfare (MoHFW) will issue Standard Operating Procedures (SOPs) for the above activities, in consultation with the Central Ministries/ Departments concerned and other stakeholders, for ensuring social distancing and to contain the spread of COVID-19.

Phase II

Schools, colleges, educational/ training/ coaching institutions etc., will be opened after consultations with States and UTs. State Governments/ UT administrations may hold consultations at the institution level with parents and other stakeholders. Based on the feedback, a decision on the re-opening of these institutions will be taken in the month of July, 2020.

MoHFW will prepare SOP in this regard, in consultation with the Central Ministries/ Departments concerned and other stakeholders, for ensuring social distancing and to contain the spread of COVID-19.

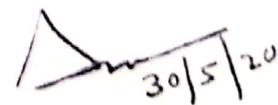
Phase III

Based on the assessment of the situation, dates for re-starting the following activities will be decided:

- (i) International air travel of passengers, except as permitted by MHA.
- (ii) Metro Rail.
- (iii) Cinema halls, gymnasiums, swimming pools, entertainment parks, theatres, bars and auditoriums, assembly halls and similar places.
- (iv) Social/ political/ sports/ entertainment/ academic/ cultural/ religious functions and other large congregations.

2. National Directives for COVID-19 Management

National Directives for COVID-19 Management, as specified in Annexure I, shall continue to be followed throughout the country.


30/5/20

3. Night curfew

Movement of individuals shall remain strictly prohibited between 9.00 pm to 5.00 am throughout the country, except for essential activities. Local authorities shall issue orders, in the entire area of their jurisdiction, under appropriate provisions of law, such as under Section 144 of CrPC, and ensure strict compliance.

4. Lockdown limited to Containment Zones

(i) Lockdown shall continue to remain in force in the Containment Zones till 30 June, 2020.

(ii) Containment Zones will be demarcated by the District authorities after taking into consideration the guidelines of MoHFW.

(iii) In the Containment Zones, only essential activities shall be allowed. There shall be strict perimeter control to ensure that there is no movement of people in or out of these zones, except for medical emergencies and for maintaining supply of essential goods and services. In the Containment Zones, there shall be intensive contact tracing, house-to-house surveillance, and other clinical interventions, as required. Guidelines of MoHFW shall be taken into consideration for the above purpose.

(iv) States/ UTs may also identify Buffer Zones outside the Containment Zones, where new cases are more likely to occur. Within the buffer zones, restrictions as considered necessary may be put in place by the District authorities.

5. States/ UTs, based on their assessment of the situation, may prohibit certain activities outside the Containment zones, or impose such restrictions as deemed necessary.

6. Unrestricted movement of persons and goods

(i) There shall be no restriction on inter-State and intra-State movement of persons and goods. No separate permission/ approval/ e-permit will be required for such movements.

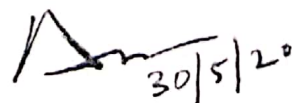
(ii) However, if a State/ UT, based on reasons of public health and its assessment of the situation, proposes to regulate movement of persons, it will give wide publicity in advance regarding the restrictions to be placed on such movement, and the related procedures to be followed.

(iii) Movement by passenger trains and *Shramik* special trains; domestic passenger air travel; movement of Indian Nationals stranded outside the country and of specified persons to travel abroad; evacuation of foreign nationals; and sign-on and sign-off of Indian seafarers will continue to be regulated as per SOPs issued.

(iv) No State/ UT shall stop the movement of any type of goods/ cargo for cross land-border trade under Treaties with neighbouring countries.

7. Protection of vulnerable persons

Persons above 65 years of age, persons with co-morbidities, pregnant women, and children below the age of 10 years are advised to stay at home, except for essential and health purposes.


30/5/20

8. Use of *Aarogya Setu*

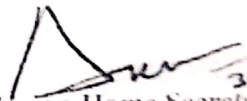
- (i) *Aarogya Setu* enables early identification of potential risk of infection, and thus acts as a shield for individuals and the community.
- (ii) With a view to ensuring safety in offices and work places, employers on best effort basis should ensure that *Aarogya Setu* is installed by all employees having compatible mobile phones.
- (iii) District authorities may advise individuals to install the *Aarogya Setu* application on compatible mobile phones and regularly update their health status on the app. This will facilitate timely provision of medical attention to those individuals who are at risk.

9. Strict enforcement of the guidelines

- (i) State/ UT Governments shall not dilute these guidelines issued under the Disaster Management Act, 2005, in any manner.
- (ii) All the District Magistrates shall strictly enforce the above measures.

10. Penal provisions

Any person violating these measures will be liable to be proceeded against as per the provisions of Section 51 to 60 of the Disaster Management Act, 2005, besides legal action under Section 188 of the IPC, and other legal provisions as applicable. Extracts of these penal provisions are at **Annexure II**.


Union Home Secretary 30/05/2020

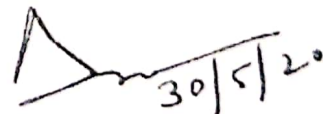
and, Chairman, National Executive Committee

National Directives for COVID-19 Management

1. **Face coverings:** Wearing of face cover is compulsory in public places; in workplaces; and during transport.
2. **Social distancing:** Individuals must maintain a minimum distance of 6 feet (2 *gaz ki doori*) in public places.
Shops will ensure physical distancing among customers and will not allow more than 5 persons at one time.
3. **Gatherings:** Large public gatherings/ congregations continue to remain prohibited.
Marriage related gatherings : Number of guests not to exceed 50.
Funeral/ last rites related gatherings : Number of persons not to exceed 20.
4. **Spitting in public places** will be punishable with fine, as may be prescribed by the State/ UT local authority in accordance with its laws, rules or regulations.
5. **Consumption of liquor, paan, gutka, tobacco etc.** in public places is prohibited.

Additional directives for Work Places

6. **Work from home (WFH):** As far as possible the practice of WFH should be followed.
7. **Staggering of work/ business hours** will be followed in offices, work places, shops, markets and industrial & commercial establishments.
8. **Screening & hygiene:** Provision for thermal scanning, hand wash and sanitizer will be made at all entry and exit points and common areas
9. **Frequent sanitization** of entire workplace, common facilities and all points which come into human contact e.g. door handles etc., will be ensured, including between shifts.
10. **Social distancing:** All persons in charge of work places will ensure adequate distance between workers, adequate gaps between shifts, staggering the lunch breaks of staff, etc.


 30/5/20

Offences and Penalties for Violation of Lockdown Measures

A. Section 51 to 60 of the Disaster Management Act, 2005

51. Punishment for obstruction, etc.—Whoever, without reasonable cause

- (a) obstructs any officer or employee of the Central Government or the State Government, or a person authorised by the National Authority or State Authority or District Authority in the discharge of his functions under this Act; or
- (b) refuses to comply with any direction given by or on behalf of the Central Government or the State Government or the National Executive Committee or the State Executive Committee or the District Authority under this Act,

shall on conviction be punishable with imprisonment for a term which may extend to one year or with fine, or with both, and if such obstruction or refusal to comply with directions results in loss of lives or imminent danger thereof, shall on conviction be punishable with imprisonment for a term which may extend to two years.

52. Punishment for false claim.—Whoever knowingly makes a claim which he knows or has reason to believe to be false for obtaining any relief, assistance, repair, reconstruction or other benefits consequent to disaster from any officer of the Central Government, the State Government, the National Authority, the State Authority or the District Authority, shall, on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

53. Punishment for misappropriation of money or materials, etc.—Whoever, being entrusted with any money or materials, or otherwise being, in custody of, or dominion over, any money or goods, meant for providing relief in any threatening disaster situation or disaster, misappropriates or appropriates for his own use or disposes of such money or materials or any part thereof or wilfully compels any other person so to do, shall on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

54. Punishment for false warning.—Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine.

55. Offences by Departments of the Government.—(1) Where an offence under this Act has been committed by any Department of the Government, the head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the head of the Department, such officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

56. Failure of officer in duty or his connivance at the contravention of the provisions of this Act.—Any officer, on whom any duty has been imposed by or under this Act and who ceases or refuses to perform or withdraws himself from the duties of his office shall, unless he has obtained the express written permission of his official superior or has other lawful excuse for so doing, be punishable with imprisonment for a term which may extend to one year or with fine.

57. Penalty for contravention of any order regarding requisitioning.—If any person contravenes any order made under section 65, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

58. Offence by companies.—(1) Where an offence under this Act has been committed by a company or body corporate, every person who at the time the offence was committed, was in charge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly:

Provided that nothing in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company, and it is proved that the offence was committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also, be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section—

(a) "company" means anybody corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

59. Previous sanction for prosecution.—No prosecution for offences punishable under sections 55 and 56 shall be instituted except with the previous sanction of the Central Government or the State Government, as the case may be, or of any officer authorised in this behalf, by general or special order, by such Government.

60. Cognizance of offences. No court shall take cognizance of an offence under this Act except on a complaint made by—

(a) the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorised in this behalf by that Authority or Government, as the case may be; or

(b) any person who has given notice of not less than thirty days in the manner prescribed, of the alleged offence and his intention to make a complaint to the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorised as aforesaid.

B. Section 188 in the Indian Penal Code, 1860

188. Disobedience to order duly promulgated by public servant. Whoever knowing that, by an order promulgated by a public servant lawfully empowered to promulgate such order, he is directed to abstain from a certain act, or to take certain order with certain property in his possession or under his management, disobeys such direction, shall, if such disobedience causes or tends to cause obstruction, annoyance or injury, or risk of obstruction, annoyance or injury, to any person lawfully employed, be punished with simple imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees, or with both; and if such disobedience causes or tends to cause danger to human life, health or safety, or causes or tends to cause a riot or affray, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Explanation.—It is not necessary that the offender should intend to produce harm, or contemplate his disobedience as likely to produce harm. It is sufficient that he knows of the order which he disobeys, and that his disobedience produces, or is likely to produce, harm.

Illustration

An order is promulgated by a public servant lawfully empowered to promulgate such order, directing that a religious procession shall not pass down a certain street. A knowingly disobeys the order, and thereby causes danger of riot. A has committed the offence defined in this section.

Epidemic Control Act

6. All hospitals, nursing homes and clinical establishments (government or private) during screening of specified cases shall record the history of travel of the person to any country or area (as per the guidelines issued from time to time by Government of India) where COVID-19 has been reported. The history of contacts with the suspected or confirmed case of COVID-19 is required to be recorded. Contact tracing for patients (required as per the guidelines issued from time to time) will be conducted by the Health Department or by other identified staff. Information of all such cases must be given to District Integrated Disease Surveillance Unit and District Magistrate immediately.
7. If the owner or occupier(s) of any premises or any individual suspected/confirmed with COVID-19, refuses to take measures for prevention or treatment i.e., Home Quarantine/Institutional Quarantine/Isolation or any such person refuses to co-operate with, render assistance to or comply with the directions of the Surveillance Personnel, the concerned District Magistrate having jurisdiction and specifically in this regard, may pass an appropriate order and may proceed with proceedings under Section 133 of the Code of Criminal Procedure, 1973 (2 of 1974) or take any other coercive action as deemed necessary and expedient for enforcing such cooperation and assistance. In case of a minor, such Order shall be directed to the guardian or any other adult member of the family of the minor.
8. All advisories issued/or to be issued by the Government of India on COVID-19 will ipso facto be treated as directions under this Act in the State of Madhya Pradesh.
9. With the concurrence of Health and Family Welfare Department, Madhya Pradesh, District disaster Management Committee headed by District Magistrate is authorized for planning strategy regarding containment measures for COVID-19 in their respective districts. The District Magistrate may co opt more officers from different departments for District Disaster Management Committee for this activity under these regulations.

(c) power to direct—

- (i) that persons arriving from places outside the local area, or residing in any building adjacent to, or in the neighbourhood of, an infected building, shall be examined by any one of a specified class of medical officers ;
- (ii) that the clothing, bedding or other articles belonging to such persons shall be disinfected if there is reason to suspect that they have been exposed to infection; and
- (iii) that any such person shall give his address and present himself daily for medical examination at a specified time and place, for a period not exceeding ten days ;

(d) power to take such measures as may be necessary—

- (i) in respect of, or in relation to persons exposed to infection from any infectious disease, or likely to infect other persons with any such disease; and
- (ii) in respect of, or in relation to articles exposed to infection from any infectious disease, or likely to infect persons with any such disease,

including, in case (i) the placing of restriction on the movements of such persons, and in case (ii) the destruction of such articles and the placing of restrictions on their export from, import into, or transport within the local area ;

(e) power to direct that at any place within or outside the local area, any consignment of grains exported from, or imported into, such area by rail, road or otherwise, shall be examined and, if necessary, unloaded and disinfected in any specified manner ;

(f) power to close all or any existing markets and to appoint special places where market may be held; and

(g) power to recommend the prohibition of any fair or festival.

- (3) (a) If any person who, or a child in whose care, is sought to be vaccinated or inoculated in pursuance of the power referred to in clause (b) of sub-section (2), declares before a Magistrate specially empowered by the Government in this behalf that as a result of a careful inquiry into the subject he believes that such vaccination or inoculation will be injurious to his health or the health of the child, as the case may be, the Magistrate may, after giving notice to the Health Officer and hearing any representations made