

मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी,  
जिला-मुरैना म.प्र.,  
सिविल सर्जन सह मुख्य अस्पताल अधीक्षक,  
जिला मुरैना म.प्र.

कोरोना संक्रमण वायरस से बचाव हेतु कार्यवाही वावत।

विषय: तर्गत लेख है कि म.प्र. शासन, लोक स्वास्थ्य एवं परिवार कल्याण के पत्र  
/एफं 10-02/2020/सत्रह/मेड-2, दिनांक 07 मार्च, 2020 अनुसार मध्यप्रदेश पब्लिक हेल्थ  
एक्ट 1949 की धारा 71(2) में प्रावधानित समस्त अधिकार मुख्य चिकित्सा एवं स्वास्थ्य अधिकारी तथा  
सिविल सर्जन सह मुख्य अस्पताल अधीक्षकों को प्रदत्त किए गए हैं।

अतः जन स्वास्थ्य एवं लोकहित में आवश्यकता अनुसार मध्यप्रदेश पब्लिक हेल्थ एक्ट 1949  
अनुचित शक्तियों का उपयोग कर कोरोना संक्रमण वायरस से बचाव हेतु हर संभव कार्यवाही की  
जारी सुलभ संदर्भ हेतु एक्ट के प्रमुख प्रावधान इस प्रकार है :-

**Removal of infected person to hospital-**

- 1) If it appears to the Health Officer that any person is suffering from an infectious disease, and that Such person,
  - a) (i) is without proper lodging or accommodation, or
  - (ii) is lodged in a place occupied by more than one family, or
  - (iii) is without medical supervision directed to the prevention of the spread of the disease, or
  - (iv) is in a place where his presence is a danger to the people in the neighbourhood; and
- b) should be removed to a hospital or other place at which patients suffering from such disease are received for treatment, the Health Officer may remove such person or cause him to be removed to such hospital or place:

Provided that if such person is indigent, the Health Officer shall not remove him or cause him to be removed to such hospital or place until a bed can be made available there for such person without payment of any charge.

- 2) An appeal shall lie to the Civil Surgeon within the prescribed period from the order of the Health Officer passed under sub-section (1) in cases of persons suffering from such infectious diseases as may be notified by the State Government for the purpose.
- 3) If any woman who, according to custom, does not appear in public, is removed to any such hospital or place:-
  - (i) the removal shall be effected in such a way as to preserve her privacy; and
  - (ii) special accommodation in accordance with the custom aforesaid shall be provided for her in such hospital or place.
- 4) No person shall leave, or be taken away from, any hospital or other place referred to in sub-section (1) without the permission of the medical officer-in-charge or of the Health Officer.
- 5) Whoever:-

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(a) obstructs the removal of any person to any hospital or other place under sub-section (1); or

(b) leaves, or takes away, any person from any such hospital or place in contravention of sub-section (4),

shall be punished with imprisonment which may extend to three months or with fine, or with both.

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#### Prohibition of the exposure of other persons to infection.-

1) No person who knows that he is suffering from an infectious disease and no person who has care of a person whom he knows to be suffering from an infectious disease shall himself expose other persons to the risk of infection or permit the other person to do so by his presence or conduct in,-

(a) any market, theatre or other place of entertainment or assembly; or

(b) any school, college, playground or such other place; or

(c) any lodging-house, hostel or club; or

(d) any factory or shop.

2) No person who knows that he is suffering from an infectious disease shall enter and no person in charge of a person whom he knows to be suffering from an infectious disease shall cause or permit that person to enter any public conveyance,-

(a) if it contains passengers other than members of his own family or attendants,

(b) without previously notifying the owner, driver, or conductor thereof that he is so suffering.

3) The owner, driver or conductor of a public conveyance used for the conveyance of passengers shall not convey therein a person whom he knows to be suffering from an infectious disease at any time when a passenger other than the attendant of the patient is being conveyed therein.

4) The owner or driver of any other public conveyance may refuse to convey therein any person suffering from an infectious disease until he has been paid a sum sufficient to cover any loss and expense which will be incurred by reason of the provision of the next succeeding sub-section.

5) If a person suffering from an infectious disease is conveyed in a public conveyance, the person in-charge thereof shall as soon as practicable give notice to the Health Officer of the local area in which the conveyance is usually kept and before permitting any other person to enter the conveyance shall cause it to be disinfected.

6) The local authority when so requested by the person in-charge of a public conveyance in which a person suffering from an infectious disease has been conveyed shall provide for its disinfection.

*Explanation :-* For the purposes of sub-sections (1) and (2) a person shall be deemed to know that he is suffering from an infectious disease within the meaning of this section if he has been informed by the Health Officer or any other officer of the Public Health Department of the Government or of a local authority, not below the rank of Health Officer or Sanitary Inspector, or by medical practitioner registered under the Central Provinces and Berar Medical Registration Act, 1916 (1 of 1916), that he is so suffering.

59. **Infected persons not to engage in certain trades and occupations.** - No person shall, while suffering from, or in circumstances in which he is likely to spread, any infectious disease,-

(a) make, carry or offer for sale, or take any part in the business of making, carrying or offering for sale, any article of food for human consumption; or

(b) engage in any other occupation without a special permit from the Health Officer of the local authority concerned or otherwise than in accordance with the conditions specified

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therein; or

to bath, wash, wash clothes in or near or lake water from any public well, tank, pond, pool, spring, stream, or water-course or other sources of public water-supply; or wilfully touch any article of food, drink, medicine or drug exposed for sale by others

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**Power of entry of local officers to take preventive measures.** - The Health Officer or any person authorised by him in this behalf may,-

- (a) at all reasonable hours, inspect with or without assistants any place in which any infectious disease is reported or suspected to exist, without notice in the case of a factory, workshop, workplace, office, business place and the like and after giving such notice as may appear to him reasonable in other cases, including a dwelling-house; and
- (b) take such measures as he may consider necessary to prevent the spread of such disease beyond such place.

The powers conferred by sub-section (1) on the Health Officer may, in municipal areas, be exercised also by the executive authority or any person authorised by such authority.

**Closure of lodging-house.** - If, on the application of the Health Officer, a Magistrate (not being a Magistrate of the third class) is satisfied that it is necessary in the interests of public health that a lodging-house or any place where articles of food are sold, or prepared, stored, or exposed for sale, distributed, should be closed on account of the existence or recent occurrence in such lodging-house or place of a case of an infectious disease, the Magistrate may, by order, direct it to be closed for the expiry of such period as may be specified in the order or until it is certified by the Health Officer to be free from infection.

**Power of Magistrate to prohibit the assembly of fifty or more persons.** - In the event of the prevalence of an infectious disease in any local area, on the application of the Health Officer, any Magistrate, not being a Magistrate of the third class, having local jurisdiction shall have power to prohibit either generally, or by special order in any individual case, assemblages consisting of any number of persons exceeding fifty, in any place whether public or private, or in any circumstances, for any purpose, if in his opinion such assemblages in such place, in such circumstances, or for such purpose would be likely to become a means of spreading the disease or of rendering it more prevalent.

**Power of Government to confer special powers on officers to control infectious diseases.**-

In the event of the prevalence or threatened out-break of an infectious disease in any local area, the Government may, by notification,-

- (a) declare that such local area is visited or threatened with an out-break of such disease, and
- (b) confer on the Health Officer or any other Officer of the local authority concerned, or on any Officer of the Government not below the rank of Tahsildar, all or any of the powers specified in sub-section (2).

The powers which may be conferred under sub-section (1) are,-

- (a) powers to order the evacuation of infected house and houses adjoining them or in their neighbourhood, or generally of all houses in any infected locality;
- (b) power to make vaccination and preventive inoculations compulsory subject to the provisions of sub-section (3);
- (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

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(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.

(14) 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 by him or on his behalf, exempt such person or child from vaccination or inoculation, on condition of the person aforesaid undertaking to subject himself and the members of his family to isolation of such description and for such period and to such further restrictions if any, as may be directed by the Magistrate :

Provided that any exemption granted under this clause shall cease to have effect after a conviction under clause (b) and no exemption shall be granted to any person who has been so convicted.

(b) Any person who commits a breach of any undertaking given by him under clause (a) shall be punished with imprisonment which may extend to three months, or with fine, or with both.

The local authority may, in its discretion, give compensation to any person who in its opinion has sustained substantial loss by the destruction of any property under the powers conferred by this section; but save as provided in this sub-section, no claim for compensation shall lie for any loss or damage caused by any exercise of the powers aforesaid.

**17. Definitions. - In Sections 108 and 109:-**

- (1) "Tenement" means a dwelling house and includes-
  - (a) any part of a dwelling house which is capable of separate occupation; and
  - (b) a student's hostel under public or recognized control, but does not include a dwelling house or part of a dwelling house occupied by the owner thereof; and
- (2) "Landlord" means the immediate landlord or the occupier or occupiers of a tenement.

**18. Duties of a landlord.**

- 1) A landlord of a tenement
  - (a) shall maintain it in a habitable condition;
  - (b) shall not let it out to such number of tenants as will amount to overcrowding.

- 2) A tenant shall not, except temporarily on occasions such as mariages and the like, cause or permit the tenement to be overcrowded.
- 3) No proceedings shall be instituted in respect of a contravention of sub-sections (1) and (2) unless a notice in writing that the tenement is not in a habitable condition or that it is overcrowded has been served upon the landlord or his tenant, as the case may be, by the Health Officer and the landlord or the tenant fails within such time as may be cited in such notice to take such steps as may be reasonably open to him for putting the tenement in a habitable condition or for securing the abatement of the overcrowding therein, as the case may be.

**Powers of Executive Officer and Public Health staff to arrest offenders against etc.-**


The Executive Officer of a local authority or any member of the public health establishment of a local authority not below the rank of Health or Sanitary Inspector, may arrest any person committing in his view any offence punishable under this Act, or the rules or bye-laws made thereunder,-

- (a) if the name and address of the person are unknown to him, and
- (b) if the person declines to give his name and address or there is reason to doubt the accuracy of the name and address given.

A person arrested under this section may be detained until his name and address are correctly ascertained.

Provided that no person so arrested shall be detained longer than is necessary for bringing him before a Magistrate unless an order of a Magistrate for his detention is obtained.

यह भी उल्लेख करना आवश्यक है कि मध्यप्रदेश पब्लिक हेल्थ एक्ट 1949 के प्रावधानों का पालन होने पर तीन माह की सजा एवं जुर्माना भी किया जा सकता है। विशेषकर कोरोना वायरस प्रसारण की रोकथाम हेतु Quarantine/ Isolate किये गए व्यक्ति अथवा चिकित्सीय जाँच/ परामर्श के पालन करने वाले व्यक्तियों पर अविलम्ब कार्यवाही की जाए।

  
(प्रियंका दास)  
कलेक्टर


जिला मुरैना (म.प्र.)

मुरैना, दिनांक 21.03.2020

क्रमांक/स्टेनो/ए.डी.एम./को.वाय./2020/3813

लिपि:-

1. प्रमुख सचिव, म.प्र. शासन, गृह विभाग, मंत्रालय वल्लभ भवन, भोपाल
2. प्रमुख सचिव, म.प्र. शासन, लोक स्वास्थ्य एवं परिवार कल्याण विभाग, मंत्रालय वल्लभ भवन, भोपाल
3. आयुक्त, चम्बल संभाग, मुरैना
4. पुलिस महानिरीक्षक, चम्बल जोन, ग्वालियर
5. उप-पुलिस महानिरीक्षक, चम्बल संभाग, मुरैना
6. पुलिस अधीक्षक, जिला मुरैना
7. अपर जिला दण्डाधिकारी, जिला मुरैना
8. समस्त एस.डी.एम./एस.डी.ओ.पी. .... जिला मुरैना
9. समस्त तहसीलदार/थाना प्रभारी ..... जिला मुरैना
10. उप संचालक, जनसम्पर्क विभाग जिला मुरैना
11. ....

  
कलेक्टर

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