GOVERNMENT OF PUDUCHERRY
OFFICE OF THE DISTRICT COLLECTOR CUM DISTRICT MAGISTRATE, KARAikal

No. DCK/A1/COVID-19/2019-20/ Dt. 18.05.2020

ORDER


Ref:

i) The Epidemic Diseases Act, 1897
ii) The Disaster Management Act, 2005
iii) Order No. MC No. 1/2020, Dt. 22.03.2020, of the O/o the District Magistrate, Karaikal.
iv) Order No. G. O. Ms. No. 03/2020, dt. 23.03.2020 of the DRDM, Puducherry.
vi) Order No. 1703/DRDM/DM/D2/2020, dt. 25.03.2020 of the DRDM, Puducherry.
ix) Order No. 40-3/2020-DM-I(A) dated 01.05.2020 of Ministry of Home Affairs, New Delhi.
x) Order No. 40-3/2020-DM-I(A) dated 17.05.2020 of Ministry of Home Affairs, New Delhi.

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WHEREAS, Novel Corona Virus Disease (nCOVID-19) situation has been declared as a notified disaster under the provision of Disaster Management Act, 2005. The District administration is taking several preventive measures involving all line departments and various restrictions are imposed under the Epidemic Diseases Act, 1897 to prevent its spread, while ensuring maintenance of essential services and supplies, including health infrastructure.

WHEREAS the Ministry of Home Affairs, Government of India, under directions of the National Disaster Management Authority (NDMA), has issued guidelines on lockdown measures to contain the spread of COVID-19 in all parts of the country through various orders dated 24.03.2020, 15.04.2020 and 01.05.2020.

WHEREAS, under further directions of NDMA, the Ministry of Home Affairs, Government of India, has extended the lockdown period for a further period upto 31.05.2020 vide Order No. 40-3/2020-DM-I(A), dt. 17.05.2020.

NOW THEREFORE, in pursuance of the order No. 40-3/2020-DM-I(A) dt. 17.05.2020 of Ministry of Home Affairs, Government of India, Standard Operating Procedure for implementation of lock down measures has been revised as per the guidelines annexed, for strict implementation.

(ARJUN SHARMA, I.A.S.)
COLLECTOR-CUM-DISTRICT MAGISTRATE

To
All Heads of Offices, Karaikal.
Copy to
1. The Senior Superintendent of Police, Karaikal.
2. The Sub Divisional Magistrate, Karaikal
3. The Deputy Collector (DM), Karaikal.
4. All Heads of Officer, Karaikal.
5. The Enforcement Team Heads, Karaikal
6. The Superintendent of Police (North / South), Karaikal.
7. The Assistant Director, Information & Publicity, Karaikal – for wider publicity
8. The District Informatics Officer, Karaikal – for hosting in the District Website

Copy to
1. The Secretary to Hon’ble Chief Minister, Puducherry.
2. The P.S. to Hon’ble Lt., Governor, Puducherry
3. The P.S. to All Ministers, Puducherry.
4. The PS to Chief Secretary to Govt, Puducherry.
REVISED GUIDELINES FOR THEcontainMENT OF COVID-19 IN KARAikal DISTRICT UPTO 31.05.2020.
(AS PER MINISTRY OF HOME AFFAIRS (MHA) ORDER NO. 40-3/2020-DM-I(A), DT. 17.05.2020)

1. Lockdown shall continue to remain in force upto 31.05.2020.

2. The following activities shall continue to remain prohibited:

   i) All domestic and international air travel of passengers, except for domestic medical services, domestic air ambulance and for security purpose or for security purposes or purposes as permitted by MHA.

   ii) Inter-state buses for public transport except for medical and movement of migrant labourers.

   iii) Inter-state movement of individuals except for medical reasons or for activities permitted by MHA.

   iv) Schools, colleges, educational/training, coaching institutions etc., will remain closed. Online/distance learning shall continue to be permitted and shall be encouraged.

   v) Hotels, restaurants and other hospitality services, except those meant for housing, health/police/Government officials/healthcare workers/stranded persons including tourists and for quarantine facilities; and running of canteens at bus depots, railway stations and airports. Restaurants shall be permitted to operate kitchens for home delivery of food items.

   vi) All cinema halls, shopping malls, gymnasiums swimming pools, entertainment parks, theatres, bar and auditoriums, assembly halls and similar places. Sports complexes and stadia will be permitted to open, however, spectators will not be allowed.

   vii) All social/political/sports/entertainment/academic/cultural/religious/functional/other gatherings and large congregations.

   viii) All religious places/places of worship shall be closed for public. Religious congregations are strictly prohibited.

3. The following activities shall be permitted with restrictions, except in the containment zones:

   i) With regard to Inter and Intra state movement of buses and passenger vehicles separate order would be issued.

   ii) Standard Operating procedures (SOPs) for movement of persons, as mentioned in Annexure I, shall continue to operate.


   i) National Directives for COVID19 management, as specified in Annexure II shall be followed throughout the country.
5. Containment, Buffer, Red, Gree and Orange Zones:

i) The delineation of Red, Green and orange zones will be decided by the respective State and UT Governments, after taking into considerations the parameters shared by the Ministry of health and Family welfare (MoHFW), Govt. of India (GoI).

ii) Within the Red and Orange Zones, containment zones and buffer 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 stricter 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. Guidelines of MoHFWS shall be taken into consideration for the above purpose.

iv) In the Containment Zones, there shall be intensive contract tracing, house-to-house surveillance and other clinical interventions as required.

6. Night Curfew:

The movement of individuals shall remain strictly prohibited between 07.00 PM to 07.00 AM except for essential activities.

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, shall stay at home, except for essential and health purposes.

8. All other activities will be permitted except those which are specifically prohibited.

However in containment zones, only essential activities shall be allowed, as mentioned in para 5(iii) above.

9. Use of Aarogya Setu

i) Aarogya Setu enables early identification of potential risk of infection and this acts as a shield for individuals and the community.

ii) With a view to ensuring safety in offices and work places, employees on the best effort basis should ensure that aarogya setu is installed by all employees having compatible mobile phones.

iii) Individuals are advised 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.
10. Special Directions to ensure movement of persons and goods in certain cases.

i) All inter-state and intra-state movement of medical professionals, nurses and para medical staff, municipal staff, sanitation personnel and ambulances, without any restriction. However they shall bear valid ID card for verification at border check post.

ii) All inter-state, intra-state movement of all types of goods / cargo including empty trucks are allowed without restriction.

11. Strict enforcement of the guidelines

i) All the above measures are to be strictly enforced.

ii) In order to implement these measures the District Administration has deployed Executive Magistrates as Incident Commanders in the respective local jurisdictions. The Incident Commander will be responsible for the overall implementation of these measures in their respective jurisdiction.

12. 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 Sec. 188 of the IPC and other legal provisions as applicable.

(Signature)

ARJUN SHARMA, I.A.S.
COLLECTOR-CUM-DISTRICT MAGISTRATE
ANNEXURE I

Standard Operating Procedure (SOPs) issued by MHA

I. SOP on transit arrangement for foreign national(s) in India issued vide Order dated April 02, 2020.

II. SOP on movement of stranded labour within States / UTs, issued vide Order dated April 19, 2020.

III. SOP on sign-on and sign-off of Indian Seafarers, issued vide Order dated April 21, 2020.


V. SOP on movement of Indian nationals stranded outside the country and of specified persons to travel abroad, issued vide order dated May 05, 2020.


(ARJUN SHARMA, I.A.S.)
COLLECTOR-CUM-DISTRICT MAGISTRATE
Annexure II

NATIONAL DIRECTIVES FOR COVID-19 MANAGEMENT

1. Wearing of face cover is compulsory in all public and work places.
2. Spitting in public & work places shall be punishable with fine, as may be prescribed in accordance with its laws, rules or regulations by the State / UT local authority.
3. Social distancing shall be followed by all persons in public places and in transport.
4. Marriage related gathering shall ensure social distancing and the maximum number of guests allowed shall not be more than 50.
5. Funeral, last rites related gathering shall ensure social distancing and the maximum numbers allowed shall not be more than 20.
6. Consumption of liquor, paan, gutka, tobacco etc in public places is not allowed.
7. Shops will ensure minimum six feet distance (2 gaz ki doori) among customers and shall not allow more than 5 persons at the shops.

Additional directives for Work Places:

8. As far as possible, the practice of work from home should be followed.
9. Staggering of work / business hours shall be followed in offices, work places, shops, markets and industrial and commercial establishments.
10. Provision for thermal scanning hand wash and sanitiser will be made at all entry and exit points and common areas.
11. Frequent sanitisation of entire workplaces, common facilities and all points which come into human contact eg., door handles etc., shall be ensured, including between shifts.
12. All persons in charge of work places shall ensure social distancing through adequate distance between workers, adequate gaps between shifts, staggering the lunch breaks of staff etc.

(ARJUN SHARMA, I.A.S.)
COLLECTOR-CUM-DISTRICT MAGISTRATE
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.
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 trends 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.

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