ORDER

In continuation to the Order No. DMHS/COVID-19/2020/4167 Dated 17\textsuperscript{th} May, 2020 w.r.t. extension of Lockdown period till 31\textsuperscript{st} May, 2020, the detailed GUIDELINES of the measures along with Directives and Standard Operating Procedures (SOPs) annexed to this order is hereby issued for strict implementation:

a. UT directives for COVID-19 Management at Annexure-I.

b. SOPs for Market Complexes at Annexure-II and

c. Offences and Penalties for violation of Lockdown measures at Annexure-III.

By order and in the name of the
Hon’ble Administrator,
UT of Dadra and Nagar Haveli and Daman and Diu

[Signature]

Secretary (Health & Family Welfare)

Copy for information and necessary action to:

1. PS to Hon’ble Administrator, Secretariat, Daman
2. PS to Advisor to the Administrator, Secretariat, Daman
3. The Secretary (I&P), Secretariat, Daman for wide publicity
4. All the Administrative Secretaries, DNH&DD for information and necessary action please.
5. The Deputy Inspector General of Police, DNH&DD
6. All the Collectors of the UT of Dadra and Nagar Haveli and Daman and Diu
7. All the Superintendents of Police, DNH&DD
8. The Director of Medical and Health Services, DNH&DD
9. All the Head of Offices for information and necessary action please.
NEW GUIDELINES OF THE MEASURES TO BE UNDERTAKEN BY VARIOUS DEPARTMENTS IN THE UNION TERRITORY OF DADRA & NAGAR HALVELI AND DAMAN & DIU FOR CONTAINMENT OF COVID 19 EPIDEMIC ARE ISSUED WITH THE DIRECTION FOR THEIR STRICT IMPLEMENTATION.

[As per Ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-I (A) dated 17th May, 2020]

With the extension of the Lockdown period till 31st May, 2020, new guidelines, as under, will be applicable in the entire Territorial Jurisdiction of the UT.

I. With the extension of the LOCKDOWN period, the following activities will continue to be PROHIBITED across the territory till 31st May, 2020.

   a. All cinema halls, shopping malls, gymnasiaums, sports complexes and stadia, swimming pools, beaches, entertainment parks, theatres, auditoriums, assembly halls, and similar places shall remain closed.
   b. All social/ political/ sports/ entertainment/ academic/ cultural/ religious functions/ other gatherings and large congregations shall not be permitted.
   c. All religious places/ places of worship shall be closed for public. Religious congregations are strictly prohibited.
   d. Schools, colleges and all other educational, training, coaching institutions, etc., shall remain closed until further orders.
   e. All Hospitality services such as Hotels, Restaurants, Bars, Motels, lodges, Spas etc., shall be prohibited other than those used for housing health/Police/ Government officials/healthcare workers, stranded persons including tourists, and those used for quarantine facilities. However, running of canteens at bus depots is permitted. And only standalone Restaurants without Bars shall be permitted to operate kitchens for home delivery of food items.
   f. All shops selling Paan/Gutka and Tobacco products are prohibited.
   g. Liquor shops located within 200 meters from the borders/boundaries of the UT are prohibited to operate.
   h. All domestic air travel of passengers is prohibited except for domestic medical services, domestic air ambulances and for security purposes or purposes as permitted by MHA.
i. Inter District and Inter State movement of individuals, except for Medical reasons or for activities permitted under these guidelines. People are to be discouraged for unnecessary travel.

j. Interstate buses for public transport except for transportation/movement of Stranded persons to other States/UTs. The SOPs relating to movement of Stranded Persons annexed to order Dated 3rd May, 2020 (Annexure III) shall be continued to be strictly implemented by the District Administration and various departmental authorities

k. Inter and Intra District buses/passenger vehicles for Public Transport are prohibited.

l. Order issued under Section 144 CrPC shall continue to be in place to prohibit gathering of 5 persons and above in public places.

II. The following Activities shall be permitted WITH RESTRICTIONS:

a. Intra-district movement of individuals and vehicles is allowed.
   i. Taxis and cab aggregators, with 1 driver and 2 passengers only.
   ii. Auto-Rickshaws with two passengers only.
   iii. Four wheeler vehicles will have maximum two passengers besides the driver.
   iv. Two Wheeler vehicles are permitted with only one pillion rider.
   v. The above movement is permitted provided, the Schedule of Operations (SoP) with regard to Public/Private Transport issued vide order dated 3rd May, 2020 (Annexure IV) shall be followed.

III. ALL ACTIVITIES mentioned below are PERMITTED in the Districts except those that are specifically prohibited under Clause I above:

   The detailed SOPs annexed with Order dated 3rd May, 2020 (Annexure II) with respect to Public Spaces, Educational Institutions, Anganwadis, Shops and Commercial establishments, banking and financial institutions, Building and Construction activities, and those pertaining to various departments such as Health and Family Welfare, Industries etc., shall continued to be strictly followed. Also
the detailed SOPs relating to **functioning of Saloons and Parlours** annexed with the aforesaid order (**Annexure V**) shall continue to be implemented and enforced.

a. All Health services including AYUSH shall remain functional.
b. All Agricultural and Horticultural activities to remain functional.
c. Establishments / Services under financial sector to remain functional.
d. All Institutions/Establishments/Services under social sector to remain functional.
e. MGNREGA works to be allowed fully.
f. All Public utilities such as Oil and Gas sector, Power sector, Postal Services, Water, Sanitation and Waste Management sectors, Tele-communication and Internet services to remain operational.
g. All commercial and private establishments shall be allowed to operate including market complexes.
h. All Industrial establishments are allowed.
i. Construction activities including that of the Private sector are allowed to be undertaken.
j. Offices of the Government of India / UT Administration, their autonomous bodies and local Governments shall remain open.
k. Online/distance learning shall continue to be permitted and shall be encouraged.
l. The inter-state movement of goods/cargo, including empty trucks shall be allowed.
m. Interstate and intrastate movement of Medical professionals, Nurses including ANMs, Multi Purpose Workers, Basic Health Workers, all Para Medical Staff including Laboratory Technicians, OT Technicians, ECG / X-ray Technicians, PMWs, Sanitation Personnel and Ambulances. These professionals/personnel belonging to the territory are allowed to commute and attend to duties at various Health Facilities situated at the border areas of the district after submission of necessary certificate that they work in those Health Facilities. However, the professionals/personnel belonging to the neighbouring areas of the respective districts are allowed for one time movement only after obtaining
necessary passes from the District Administration. In the latter case, requisite scanning, screening and testing need to be done and certification from the originating District as regards the personnel not coming from containment zone(s) shall be produced.

IV. Measures for well being and safety of persons:

a. The movement of individuals, for all non-essential activities, shall remain strictly prohibited between 5 pm to 8 am. District authorities shall issue orders under appropriate provisions of law, such as prohibitory orders [curfew] under Section 144 of CrPC, for this purpose, and ensure strict compliance.
b. 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 meeting essential requirements and for health purposes, as per the UT Directives.

V. UT Directives for COVID-19 management:

a. UT Directives for COVID-19 management as specified in Annexure-I shall be followed throughout the UT.

VI. Containment, Buffer, Red, Green and Orange Zones:

a. The delineation of Red, Green and Orange Zones will be decided by District Administration in consultation with the Department of Health and Family Welfare, after taking into consideration the guidelines/parameters shared by MoHFW, GoI.
b. Within the Red and Orange Zones, Containment Zone(s) and Buffer Zone(s) will be demarcated by the District Authorities, after taking into consideration the guidelines of MoHFW.
c. In the Containment Zone(s), 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 Zone(s), except of medical emergencies and for maintaining supply of essential goods and services. Guidelines of MoHFW and UT shall be taken into consideration for above purpose.
d. In the Containment Zone(s) there shall be intensive contact tracing, house to house surveillance and other clinical interventions, as required.

VII. Use of Aarogya Setu:

a. Aarogya Setu enables early identification of positional risk of infection and thus, acts as a shield for individuals and the community.

b. With a view to ensure safety in offices and work places, employers shall put in best efforts to ensure that, Aarogya Setu is installed by all employees having compatible mobile phones.

c. 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.

VIII. Strict enforcement of the lockdown guidelines:

a. The District Administration and other departmental Authorities shall not dilute these guidelines issued under the Disaster Management Act, 2005, in any manner, and shall strictly enforce the same.

b. All the District Magistrates shall strictly enforce the above lockdown measures and the UT Directives for COVID-19 Management, for public and work places, as specified in Annexure I.

c. In order to implement these measures, the District Magistrate shall deploy Executive Magistrates as Incident Commanders in the respective local jurisdiction. The Incident Commander will be responsible for the overall implementation of these measures in their respective jurisdictions.
IX. Penal Provisions

Any person violating these lockdown measures, the UT Directives and SOPs issued for COVID-19 Management 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 Sec. 188 of the IPC and other legal provisions as applicable. Extracts of these penal provisions are at Annexure III.

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Annexure I

UT DIRECTIVES FOR COVID-19 MANAGEMENT

PUBLIC PLACES

1. Wearing of face cover is compulsory in all public places and in case of disposable masks, proper disposal protocols to be followed.
2. Social Distancing shall be followed by all persons in public places and during movement from one place to another.
3. No organization/manager of public place shall allow gathering of 5 or more persons.
4. Marriage related gathering shall ensure social distancing including wearing of masks by the Bride, Groom & attendees. The maximum number of guests including the family members of the Bride and the Groom shall not be more than 50 people.
5. Funeral/ last rites related gathering shall ensure social distancing, and the maximum numbers allowed shall not more than 20.
6. Spitting in public places shall be punishable with fine, as may be prescribed by the District/Local authority.
7. Consumption of liquor, paan, gutka, tobacco, etc. in public places is not allowed and littering of sachets/pouches containing these products is also punishable as per law.
8. Shops including liquor shops shall ensure minimum six feet distance (2 gaz ki doori) among the customers. It shall be ensured that not more than 5 persons are present at one time at the shop.

WORK PLACES

1. Wearing of face cover is compulsory in all work places and adequate stock of such face covers shall be made available. In case of disposable masks, proper disposal protocols to be followed.
2. All persons in charge of work places shall ensure social distancing as per the guidelines issued by Ministry of Health and Family Welfare, within the work places.
3. Social distancing at work places shall be ensured through adequate gaps between shifts, staggering the lunch breaks of staff, etc.
4. Provision for thermal scanning, hand wash and sanitizers preferably with touch free mechanism shall be made at all entry and exit points and common areas. In addition, sufficient quantities of hand wash and sanitizers shall be made available in the work places.

5. Frequent sanitization of entire workplace, common facilities and all points which come into human contact e.g. door handles etc. shall be ensured, including between shifts.

6. Hospitals/clinics in the nearby areas, which are authorized to treat COVID-19 patients, should be identified and list should be available at work place all the times. Employees showing any symptom of COVID-19 should be immediately sent for check up to such facilities. Quarantine areas should be earmarked for isolating employees showing symptoms till they are safely moved to the medical facilities.

7. Intensive communication and training on good hygiene practices shall be taken up.

**PENAL PROVISION IN CASE OF NON-COMPLIANCE OF THE DIRECTIVES:**

The District/Local Administration shall levy fines/take penal action as prescribed below in case of violation of the above directives by virtue of the powers conferred under Disaster Management Act, 2005:

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Offence Particulars</th>
<th>Penalty/Compounding fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>Person found without wearing Mask in public places and work places</td>
<td>Offence at the first instance: Rs.100/-; Offence at second instance: Rs.200/-; Offence at third instance: Penal provisions shall be invoked.</td>
</tr>
<tr>
<td>b.</td>
<td>Violation of Social Distancing Norms.</td>
<td>Rs.500/-; Rs.1,000/-</td>
</tr>
<tr>
<td>c.</td>
<td>Spitting including spitting of Tobacco, Gutka, etc., in Public Places</td>
<td>Rs.100/-; Rs.200/-</td>
</tr>
</tbody>
</table>

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STANDARD OPERATING PROCEDURE (SOPS) FOR MARKET COMPLEXES.

The following measures shall be implemented by shopkeepers at Market Complexes of this UT:

(i) The Shop keepers are responsible for keeping their shops neat and clean. They should regularly carry out disinfection measures in and around the shop areas.

(ii) There shall not be multiple entry/exit points in the complex and there shall be preferably not more than two entry/exit points in the entire complex.

(iii) The shop keepers and the customers shall wear face cover/mask all the time.

(iv) All shops are advised to keep hand sanitizers near the entry/exit for the use of customers.

(v) Social distancing need to be strictly enforced by the shop keepers and properly maintained/followed by the customers and gathering to be avoided. Not more than five persons shall be allowed in any shop at any point of time.

(vi) The Shop Keeper and Customers shall follow cough etiquettes and avoid personal contacts.

(vii) Volunteers to be deployed by the District Administration at the market places for ensuring social distancing.

(viii) Adequate arrangements for temperature screening of the customers/ public at market places to be done.

(ix) All the customers having compatible phones should be asked to download the Arogya Setu App.

(x) The Shop Keepers shall be responsible for ensuring that (i) availability and use of sanitizers (ii) wearing of masks (iii) disinfection and other Social Distancing Measures are followed strictly. And the enforcement authorities shall levy necessary penalty/ take necessary action in case of non compliance of the same. Violation of the above measures in the first and second instance shall be levied with the fine of Rs.500/- and Rs.1,000/- respectively. In case of repeated violation for the third time or more, the shop license shall be cancelled.

(xi) The District/Local Administration shall enforce more strict measures, if required for undertaking preventive measures against spread of COVID-19

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Annexure III

OFFENCES AND PENALTIES FOR VIOLATION OF LOCKDOWN MEASURES

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

51. Punishment of obstruction etc. – Whoever, without reasonable cause –

(a) Obstructs any officer or employee of the Central Government or the State Government, or a person authorized 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 of 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 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 willfully 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
proceed 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 its 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 this office shall, unless he has obtained the express written permission of this 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 proved 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 shall also, he deemed to be guilty of that offence and shall be liable to proceeded against and punished accordingly.

Explanation. – For the purpose of this section – (a) “company” means any body 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 authorized 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 authorized 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 authorized 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, direction 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.