

**GOVERNMENT OF PUDUCHERRY  
IN THE COURT OF THE DISTRICT MAGISTRATE AT PUDUCHERRY**

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Dated:06/01/2021

**Order under section 144 Cr.P.C**

- Ref : 1. Order No.40-3/2020-DM-I(A) Dt.28-12-2020 of MHA  
2. Order No.1703/DRDM/DM/D2/2020/125 DT.29-12-2020 of District Magistrate, Puducherry.

Sub : Conduct of Rallies / Agitations/ Protest meeting / Political Demonstration etc., - Regulation - Reg.

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WHEREAS, the Police Department has reported that some political parties have proposed agitations in the District of Puducherry by mobilizing large number of persons. The venues proposed are in close proximity to important government offices, residential areas, commercial areas and hospitals. It is reported that in the past such large scale prolonged agitations have affected normal life and livelihood of public, caused disturbance of public tranquility and obstructed the regular functioning of Government of Puducherry.

2. AND WHEREAS, in the wake of Novel Corona Virus (COVID-19) outbreak, which has been declared as a Notified Disaster under the provision of Disaster Management Act, 2005, the Hon'ble Supreme Court and the State Disaster Management Authority from time to time have reiterated that Covid-19 guidelines of Ministry of Home Affairs and SOPs by Government of India, shall be scrupulously followed so that public health and safety are safeguarded.

3. AND WHEREAS, as per the directions of the Ministry of Home Affairs, Government of India, more activities were re-opened in a calibrated manner, in areas outside the Containment Zones based on the directions of National Disaster Management Authority. Accordingly, guidelines for surveillance, containment and caution for the month of January 2021 were issued vide reference first cited.

4. AND WHEREAS, it has been brought to the notice of the undersigned that various associations, political parties, unions etc. are misusing the relaxations and gathering at public places for protest / demonstrations / agitations /rallies therein blocking roads and causing **obstruction and disturbance of public tranquility**. Further, it has been reported that various associations, political parties, unions etc are gathering in large numbers at public places without following the National Directives of Covid-19 Management with every possibility of such gatherings turning into hotspots for spreading Covid-19. Thereby, causing **danger to human life, health and safety**. This necessitates **immediate regulation** of such activities.

5. AND WHEREAS, the Hon'ble Supreme Court has observed, "that the right to protest is part of a fundamental right and can as a matter of fact, be exercised subject to public order." Right to life, health and safety is also a fundamental right of the citizens.

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6. Now therefore I, Purva Garg, I.A.S, District Magistrate, Puducherry in exercise of the powers conferred upon me under section 144 of the Criminal Procedure Code, 1973, with a view to prevent disturbance to public tranquility and prevent danger to human life, health and safety do hereby **direct that no protest / demonstrations / agitations /rallies shall be conducted within the District of Puducherry, without prior permission from the Office of District Magistrate.** Furthermore, to ensure that there is no obstruction to the regular functioning of the Government of Puducherry no protest / demonstrations / agitations /rallies shall be allowed within 500m of the following critical establishments in the District of Puducherry – the Office of the Hon'ble Lieutenant Governor (Raj Nivas), the Office of the Hon'ble Chief Minister, Offices of the Hon'ble Cabinet Ministers, the Legislative Assembly, Camp Office-cum-Residence of the Hon'ble Chief Minister, Camp Office-cum-Residences of Hon'ble Cabinet Ministers, the Chief Secretariat, the Police Headquarters and Government COVID Hospitals namely JIPMER, Gorimedu and IGMC & RI, Kathirkamam, Puducherry.

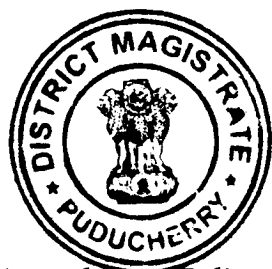
7. Any protests / demonstrations / agitations /rallies without prior permission from the Office of District Magistrate shall be considered unlawful assembly and legal action under section 188 of IPC and other relevant provisions of law shall be initiated against the violators.

8. Any violation of this order is punishable under the provisions of Disaster Management Act, 2005 and Epidemic Act, 1897; besides legal action under section 188 of IPC and other relevant provisions of law.

9. This order shall remain in force from 07.01.2021 onwards, until further orders.

10. The emergent nature of the case and the circumstances do not permit serving of notice to the concerned in due time and hence this order is passed ex parte u/s 144 (2) of Criminal Procedure Code, 1973.

Given under my hand and seal on 6<sup>th</sup> day of January 2021, at Puducherry.



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6/1/21

(PURVA GARG, I.A.S)  
DISTRICT MAGISTRATE  
PUDUCHERRY

To

1. The Senior Superintendent of Police (L&O), Puducherry,
2. The Senior Superintendent of Police (Traffic), Puducherry,
3. The Senior Superintendent of Police (C&I), Puducherry,
4. The Sub-Divisional Magistrate (North/South / Mahe / Yanam), Puducherry,
5. The Director, Department of Information & Publicity - for wide publicity
6. The Director, Printing and Stationary, Puducherry - with a request to publish the same in official gazette
7. All National / State Recognized political parties.

Copy for information please :

1. The Hon'ble Lt. Governor, Puducherry,
2. The Hon'ble Chief Minister, Puducherry,
3. The Hon'ble Ministers of Puducherry,
4. The Chief Secretary, Puducherry.
5. The DGP, Puducherry.
6. All Secretaries, Govt. of Puducherry
7. All Head of Department, Govt. of Puducherry
8. The Secretary, Legislative Assembly