

**GOVERNMENT OF PUDUCHERRY
DEPARTMENT OF REVENUE AND DISASTER MANAGEMENT
PUDUCHERRY**

No. 1703/DRDM/DM/D2/2020/124

Dated: 28.11.2020

ORDER

Sub: DRDM – COVID – 19 – Guidelines for surveillance, Containment and Caution – Reg.

Ref: i. The Epidemic Diseases Act, 1897
ii. The Disaster Management Act, 2005
iii. The MHA order No. Order No. 40-3/2020-DM-1(A) dated 25.11.2020
iv. This Office Order No.1703/DRDM/DM/D2/2020/108 dated: 30.09.2020,
Order No. 1703/DRDM/DM/D2/2020/114 dated: 23.10.2020 and
Order No. 1703/DRDM/DM/D2/2020/118 dated: 18.11.2020

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, has prompted this UT Administration to take several preventive measures.

AND WHEREAS, the Ministry of Home Affairs, Government of India, vide Order No. 40-3/2020-DM-I (A) dated 25-11-2020 issued guidelines for surveillance, Containment and Caution based on the directions of National Disaster Management Authority.

NOW THEREFORE, in pursuance of the Ministry of Home Affairs Order and in continuation of the orders cited under reference (iv), the guidelines for surveillance, containment and caution as annexed will be in force upto 31.12.2020 in the UT of Puducherry.

Any violation of the above instructions is punishable under the provisions of Disaster Management Act, 2005 and Epidemic Act, 1897.

The authorities concerned shall comply with the above instruction.



(Dr. ARUN.T, IAS)

**SPECIAL SECRETARY TO GOVERNMENT
(RELIEF & REHABILITATION)**

To
All concerned.

Copy to:

1. All Secretaries to Government, Puducherry
2. The District Collector, Puducherry / Karaikal.
3. The Senior Superintendent of Police (L&O), Puducherry / Karaikal
4. All Head of Departments, Puducherry.
5. The Sub Divisional Magistrate, North / South / Karaikal / Mahe / Yanam
6. The Deputy Commissioner (Excise), Puducherry
7. The Superintendent of Police, East/West/North/South/Karaikal/Mahe/ Yanam
8. The Commissioner, Puducherry / Oulgaret Municipality
9. The Tahsildar, Taluk Office, Puducherry / Oulgaret / Villianur / Bahour
10. The Commissioner, All Commune Panchayat

Copy submitted to:

1. The Hon'ble Lt. Governor, Puducherry
2. The Hon'ble Chief Minister, Puducherry
3. All Hon'ble Ministers, Puducherry
4. The Chief Secretary , Puducherry
5. The Development Commissioner, Puducherry

Guidelines for Surveillance, Containment and Caution
[As per Ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-I (A)
dated 25th November, 2020]

COVID appropriate behavior

1. Strict enforcement of wearing of face masks, hand hygiene and social distancing must be ensured.
2. Wearing of face masks is an essential preventive measure. In order to enforce this core requirement, administrative actions, including appropriate fines, on persons not wearing face masks in public and work spaces shall be imposed.
3. Observance of social distancing in crowded places, especially in markets, weekly bazaars and public transport, is also critical for containing the spread of the infection. Ministry of Health and Family Welfare (MoHFW) will issue a SOP to regulate crowds in market places, which shall be strictly enforced.
4. SOPs for regulating travel in aircrafts, buses and trains are already in place, which shall be strictly enforced.
5. The National Directives for COVID-19 Management, as specified in Annexure I, shall be strictly followed.

Surveillance and Containment

6. Effective demarcation of Containment Zones, in vulnerable and high incidence areas, is key to breaking the chain of transmission and controlling the spread of the virus. Containment Zones shall be carefully demarcated by the district authorities, at the micro level, taking into consideration the guidelines prescribed by the Ministry of Health and Family Welfare (MoHFW) in this regard. The list of Containment Zones will be notified on the websites by the respective District Collectors. This list will also be shared with MoHFW.
7. Within the demarcated Containment Zones, containment measures, as prescribed by MoHFW, shall be scrupulously followed, as under:
 - i. Only essential activities shall be allowed in the Containment Zones.
 - ii. 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.
 - iii. There shall be intensive house-to-house surveillance by surveillance teams formed for the purpose.
 - iv. Testing shall be carried out as per prescribed protocol.
 - v. Listing of contacts shall be carried out in respect of all persons found positive, along with their tracking, identification, quarantine and follow up of contacts for 14 days (80% of contacts to be traced in 72 hours).
 - vi. Quick isolation of COVID-19 patients shall be ensured in treatment facilities/ home (subject to fulfilling the home isolation guidelines).
 - vii. Clinical interventions, as prescribed, shall be administered.
 - viii. Surveillance for ILI/ SARI cases shall be carried out in health facilities or outreach mobile units or through fever clinics in buffer zones.
 - ix. Awareness shall be created in communities on COVID-19 appropriate behaviour.

8. It shall be the responsibility of local district, police and municipal authorities to ensure that the prescribed Containment measures are strictly followed. The concerned Departments shall ensure accountability of the officers concerned in this regard.

Strict adherence to the prescribed SOPs

9. All activities have been permitted outside Containment Zones, except for the following, which have been permitted with certain restrictions:
 - i. International air travel of passengers, as permitted by MHA.
 - ii. Cinema halls and theatres, with upto 50% capacity.
 - iii. Swimming pools, only for training of sports persons.
 - iv. Exhibition halls, only for business to business (B2B) purposes.
 - v. Social / religious / sports / entertainment / educational / cultural / religious gatherings, with upto a maximum of 50% of the hall capacity, with a ceiling of 200 persons in closed spaces; and keeping of the size of the ground/ space in view, in open spaces.
10. SOPs have been prescribed for various activities. These include: movement by passenger trains; air travel; schools; higher educational institutions; hotels and restaurants; shopping malls, multiplexes and entertainment parks; yoga centres and gymnasiums; assemblies and congregations, etc.
11. For ease of reference, the list of activity wise SOPs with their web-links is given at Annexure II.
12. The SOPs shall be strictly enforced by the authorities concerned, who shall be responsible for their strict observance.

Protection of vulnerable persons

13. 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.

Use of Aarogya Setu

14. Aarogya Setu enables early identification of potential risk of infection, and thus acts as a shield for individuals and the community.
15. 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.
16. Organizations and Business entities with 50 or more employees are encouraged to avail the Aarogya Setu OpenAPI Service <https://openapi.aarogyasetu.gov.in> OpenAPI feature will facilitate Organisations and employees to return to work in a COVID 19 risk free environment.
17. 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.

Penal provisions

18. 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 III.

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.
3. **Spitting in public places** will be punishable with fine, as prescribed by the Government of Puducherry.

Additional directives for workplaces

4. **Work from home (WfH):** As far as possible the practice of WfH should be followed.
5. **Staggering of work/ business hours** will be followed in offices, work places, shops, markets and industrial & commercial establishments.
6. **Screening & hygiene:** Provision for thermal scanning, hand wash or sanitizer will be made at all entry points and of hand wash or sanitizer at exit points and common areas.
7. **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.
8. **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.

LIST OF SOPS PRESCRIBED FOR VARIOUS ACTIVITIES

S No	Name of Activity	SOP issue date	Weblink
1	Sign-on and sign-off of Indian Seafarers at Indian Ports and their movement	21.04.20	https://www.mha.gov.in/sites/default/files/MHAOrder_21042020_0.pdf
2	Movement of Indian Nationals stranded outside the country and of specified persons to travel abroad	Revised on 22.08.20	https://www.civilaviation.gov.in/sites/default/files/MHA_SOP_dtd_22_08_2020_on_international_travel_under_Vande_Bharat_and_Bubble_flights.pdf
3	Movement of persons by train	19.05.20	https://www.mha.gov.in/sites/default/files/MHA%20Order%20Dt.%2019.5.2020%20reg.%20revised%20SoPs%20on%20movement%20of%20stranded%20workers%20by%20trains.pdf
4	Domestic air travel of passengers	25.05.20	https://www.civilaviation.gov.in/sites/default/files/Order_dated_25th_May_2020_on_recommencement_of_domestic_air_services.pdf
5	Religious places/ places of worship	04.06.20	https://www.mohfw.gov.in/pdf/2SoPstobefollowedinReligiousPlaces.pdf
6	Hotels, restaurants and other hospitality services	04.06.20	https://www.mohfw.gov.in/pdf/3SoPstobefollowedinRestaurants.pdf
7	Shopping Malls	04.06.20	https://www.mohfw.gov.in/pdf/4SoPstobefollowedinShoppingMalls.pdf
8	Offices	04.06.20	https://www.mohfw.gov.in/pdf/1SoPstobefollowedinOffices.pdf#_blank
9	Training Institutions of the Central and State Governments	05.07.20	https://dopt.gov.in/sites/default/files/Scan101.pdf
10	Yoga Institutes and gymnasiums	03.08.20	https://www.mohfw.gov.in/pdf/Guidelines_onyogainstitutesandgymnasiums03082020.pdf
11	Skill or entrepreneurship training institutions, higher educational institutions conducting doctoral courses and post graduate studies in technical & professional programs requiring laboratory /experimental work.	08.09.20	https://www.mohfw.gov.in/pdf/FinalSOPonSkillinstitutions&PGinstitutes08092020.pdf
12	Schools	05.10.20	https://www.education.gov.in/sites/upload_files/mhrd/files/SOP_Guidelines_for_reopening_schools.pdf
13	Cinema hall / theatres / multiplex	06.10.20	https://mib.gov.in/sites/default/files/SOP%20for%20exhibition%20of%20films.pdf
14	Festivals	06.10.20	https://mib.gov.in/sites/default/files/SOP%20for%20exhibition%20of%20films.pdf
15	Colleges / Higher Education Institution	07.11.20	https://www.ugc.ac.in/pdfnews/1360511_UGC-Guidelines-for-Re-opening-of-Universities-and-Colleges.pdf
16	Entertainment parks and similar places	08.10.20	https://www.mohfw.gov.in/pdf/SOPonpreventivemeasurestobefollowedinEntertainmentParksandsimilarplacestocontainspreadofCOVID19.pdf
17	Anganwadi Kendra	11.11.20	https://wcd.nic.in/sites/default/files/AWC%20services%20continuation_0.pdf

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 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 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 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.
