

Rev (DMC) (C) 20-2/2021 – COVID 19 – III
Government of Himachal Pradesh
Revenue Department – Disaster Management Cell

Shimla – 171002
Dated: 28, January 2021

ORDER

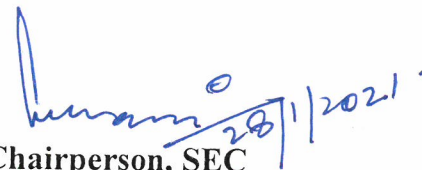
Whereas, an Order dated 31.12.2020 was issued for Surveillance, Containment and Caution required preventing the spread of COVID-19 in the State for a period upto 31.01.2021 and its subsequent amendments dated 05.01.2021 and 16.01.2021.

Whereas, on the directions of National Disaster Management Authority (NDMA) under section 6(2)(i) of the Disaster Management Act, 2005 and in exercise of the powers, conferred under Section 10(2)(1) of the Disaster Management Act, 2005, the Chairperson National Executive Committee (NEC) has issued an Order No. 40-3/2020-DM-I(A) dated 27.01.2021 with the guidelines for Surveillance, Containment and Caution that will remain in force upto 28.02.2021.

And whereas, after a careful review of the current situation wherein COVID-19 epidemic is still a public health risk, and caution is required for the containment thereof.

Now, therefore after considering the prevalent status of the COVID-19 pandemic and the overall circumstances, in exercise of the powers conferred under the Section 24 (e) of the DM Act 2005, the undersigned in the capacity of the Chairman, State Executive Committee (SEC), hereby orders the implementation of the directions and guidelines contained in the Order of NEC dated 27.01.2021 (**Annexure A**). In addition to this SEC also issues Standard Operating Procedures (SOPs) annexed (**Annexure B**) with this Order for social/ academic/ sports/ entertainment/ cultural/ religious and other congregations to contain the spread of COVID-19. All the Departments and Organisations of the Government, District Magistrates, Police Officers/Officials and Local Authorities of the State are directed to ensure strict compliance with the directions of the NEC and annexed SOPs ibid.

This Order shall remain in force, in all parts of the State with immediate effect and till 28.02.2021 or further orders, whichever is earlier.


Chief Secretary cum Chairperson, SEC
Himachal Pradesh.

To

1. All the Administrative Secretaries to the Government of Himachal Pradesh.
2. All the Head of Departments, Himachal Pradesh.
3. All the Divisional Commissioners, Himachal Pradesh.
4. All the Deputy Commissioners, Himachal Pradesh.
5. The Director I & PR for wider dissemination.

Copy for information to:

1. The Home Secretary, Ministry of Home Affairs, Government of India.
2. All the Members of SDMA.
3. All the members of the State Executive Committee.
4. Principal PS cum Special Secretary to Hon'ble Chief Minister-cum-Chairperson, SDMA.



**Additional Chief Secretary (Revenue) to the
Government of Himachal Pradesh.**

No. 40-3/2020-DM-I(A)
Government of India
Ministry of Home Affairs

North Block, New Delhi-110001

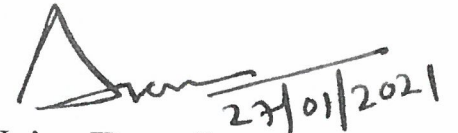
Dated 27th January, 2021

ORDER

Whereas, an Order of even number dated 25.11.2020 was issued for containment of COVID-19 in the country, for a period upto 31.12.2020, which was further extended for a period upto 31.01.2021 vide an Order of even number dated 28.12.2020;

Whereas, in exercise of the powers under section 6(2)(i) of the Disaster Management Act, 2005, National Disaster Management Authority (NDMA) has directed the undersigned to issue an order with guidelines for containment of COVID-19 in the country;

Now therefore, in exercise of the powers, conferred under Section 10(2)(1) of the Disaster Management Act 2005, the undersigned hereby directs that guidelines for surveillance, containment and caution, as **annexed**, will be in force upto 28.02.2021.



Union Home Secretary

and, Chairman, National Executive Committee (NEC)

To:

1. The Secretaries of Ministries/ Departments of Government of India
2. The Chief Secretaries/Administrators of States/Union Territories
(As per list attached)

Copy to:

- i. All Members of the National Executive Committee
- ii. Member Secretary, National Disaster Management Authority

Guidelines for Surveillance, Containment and Caution
[As per Ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-I (A)
dated 27th January, 2021]

The number of active cases of COVID-19 have been declining steadily over the last four months. However, with a view to consolidate the substantial gains that have been achieved against the spread of COVID-19, and to fully overcome the pandemic, there is a need to maintain caution and strictly follow the prescribed containment strategy, focussed on surveillance, containment and strict observance of the guidelines.

The following guidelines are issued to be effective from 1st February 2021.

COVID appropriate behavior

1. State/ UT Governments shall take all necessary measures to promote COVID-19 appropriate behaviour and ensure wearing of face masks, hand hygiene and social distancing.
2. The National Directives for COVID-19 Management, as specified in **Annexure I**, shall be strictly followed throughout the country.

Surveillance and Containment

3. Containment Zones, if required, 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. Within the demarcated Containment Zones, containment measures, as prescribed by MoHFW, shall be scrupulously followed.
4. It shall be the responsibility of local district, police and municipal authorities to ensure that the prescribed Containment measures are strictly followed. State/ UT Governments shall ensure accountability of the officers concerned in this regard.

Strict adherence to the prescribed SOPs

5. **All activities will be permitted outside Containment Zones.** However, the following activities will be subject to strict adherence of SOPs, as indicated below:
 - i. **Social/ religious/ sports/ entertainment/ educational/ cultural/ religious gatherings, subject to SOP of the State/ UT concerned.**
 - ii. Cinema halls and theatres, subject to a revised SOP to be issued by Ministry of Information & Broadcasting in consultation with MHA.
 - iii. Swimming pools, subject to a revised SOP to be issued by Ministry of Youth Affairs & Sports (MoYA&S) in consultation with MHA.
 - iv. Exhibition halls, subject to a revised SOP to be issued by the Department of Commerce in consultation with MHA.


27/01/2021

6. For further opening up of international air travel of passengers, Ministry of Civil Aviation (MOCA) may take a decision in consultation with Ministry of Home Affairs (MHA).
7. SOPs, as updated from time to time, have been prescribed for various activities. These include: movement by passenger trains; air travel; metro trains; schools; higher educational institutions; hotels and restaurants; shopping malls, multiplexes and entertainment parks; yoga centres and gymnasiums, etc. These SOPs shall be strictly enforced by the authorities concerned, who shall be responsible for their strict observance.

Local restrictions

8. There shall be no restriction on inter-State and intra-State movement of persons and goods including those for cross land-border trade under Treaties with neighbouring countries. No separate permission/ approval/ e-permit will be required for such movements.

Protection of vulnerable persons

9. Persons above 65 years of age, persons with co-morbidities, pregnant women, and children below the age of 10 years are advised to take necessary precautions.

Use of *Aarogya Setu*

10. Use of *Aarogya Setu* may continue on best effort basis on compatible mobile phones. This will facilitate timely provision of medical attention to those individuals who are at risk.

Strict enforcement of the guidelines

11. All the District Magistrates shall strictly enforce the above measures. For the enforcement of social distancing, State/ UT Governments may, as far as possible, use the provisions of Section 144 of the Criminal Procedure Code (CrPC) of 1973.
12. 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 II**.


23/01/2021
Union Home Secretary

and, Chairman, National Executive Committee

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 adequate distance in public places.
Shops will ensure physical distancing among customers.
3. **Spitting in public places** will be punishable with fine, as may be prescribed by the State/ UT local authority in accordance with its laws, rules or regulations.

Additional directives for Work Places

4. **Staggering of work/ business hours** will be followed in offices, work places, shops, markets and industrial & commercial establishments.
5. **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.
6. **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.
7. **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.



Handwritten signature and date: 27/07/2021

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.

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, 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.

Standard Operating Procedures on preventive measures to contain spread of COVID-19 during social/ academic/ sports/ entertainment/ cultural/ religious and other congregations

1. Background

Due to re-opening of all activities, we may witness gatherings of large number of people in specified locations due to social/ academic/ sports/ entertainment/ cultural/ religious and other congregations, etc. These events may last a day or a week or more. To prevent spread of COVID-19 infection, it is important that necessary preventive measures are followed during such events.

2. Scope

- This document outlines various generic precautionary measures to be adopted in addition to specific measures to be taken at locations to prevent spread of COVID-19. **No social/ academic/ sports/ entertainment/ cultural/ religious and other congregations as enumerated in para 1 above will be allowed in Containment Zones.**
- 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. This applies to the event managers and staff as well.
- The competent authority may implement additional measures within their jurisdiction as per their local assessment and in line with activities permitted by Ministry of Home Affairs- (MHA) as per MHA orders issued under Disaster Management Act, 2005 from time to time.

3. General Directions

In social/ academic/ sports/ entertainment/ cultural/ religious and other congregations, limit of number of persons will be as under:-

- In closed spaces, a maximum of 50% of the hall capacity will be allowed, with a ceiling of 200 persons. Wearing of face masks, maintaining social distancing, provision of thermal scanning and use of hand wash or sanitizer will be mandatory in all such venues.***
- In open spaces, keeping the size of the ground/space in view, and with strict observance of social distancing, mandatory wearing of face masks, provision of thermal scanning and hand wash or sanitizer, the gathering can exceed 200 persons.***

4. Administrative requirements

The social/ academic/ sports/ entertainment/ cultural/ religious and other congregations are mass events. Hence the following administrative requirement are advised:

- i. Identify spatial boundaries and prepare a detailed site plan which would facilitate compliance with thermal screening, physical distancing, sanitization etc.
- ii. In case of events that run for days or weeks, the crowd density doesn't remain the same throughout and usually peaks around certain hours of the day and some

previously known auspicious days. Planning for the event should specifically factor this, so that crowds are regulated and managed to ensure physical distance and frequent sanitization.

- iii. Events planned to last for many days or weeks such as exhibitions, fairs, puja pandals, ramlila pandals or concerts and plays should have adequate measures to ensure a cap on physical numbers. Staggered timings and restricted entry may be considered.
- iv. Volunteers should be appropriately stationed to ensure thermal scanning, physical distancing and wearing of masks.
- v. The guidelines issued for theatre and cinema artists will apply to stage performers.
- vi. Adequate supplies of sanitizers, thermal guns and physical distancing floor markings to be ensured.
- vii. Pre-identification of space/ site in each event venue for isolation of suspect cases.
- viii. Close circuit cameras etc., if feasible, may be considered to monitor compliance of physical distance norms, wearing of masks at each venue.
- ix. All events must plan for medical care arrangements with linkages to nearest hospitals to attend to health emergencies.

5. Generic preventive measures

The generic preventive measures that include simple public health measures are to be followed to reduce the risk of COVID-19. These measures need to be observed by all; the event managers, the organizational staff and the public visiting the festivities and are as follows:

- i. Individuals must maintain a minimum distance of 6 feet in public places as far as feasible.
- ii. Use of face covers/masks to be mandatory all times.
- iii. Practice frequent hand washing with soap even when hands are not visibly dirty. Use of alcohol-based hand sanitizers can be made wherever feasible.
- iv. Respiratory etiquettes to be strictly followed. This involves strict practice of covering one's mouth and nose while coughing/sneezing with a tissue/handkerchief/flexed elbow and disposing off used tissues properly.
- v. Self-monitoring of health by all and reporting any illness at the earliest to State and District Helpline (Toll Free No. 104 or 1077).
- vi. Spitting should be strictly prohibited.
- vii. Installation & use of Aarogya Setu App shall be advised to all.

6. All social/ academic/ sports/ entertainment/ cultural/ religious and other Congregations shall also ensure:

a) Planning of events

- i. A plan should be prepared well in advance about conduct of each activity social/ academic/ sports/ entertainment/ cultural/ religious and other congregations), with

all relevant stakeholders including event organizers, business owners, market associations, etc.

- ii. Social/ academic/ sports/ entertainment/ cultural/ religious and other congregations shall be permitted only outside the Containment Zones. Organizers/staff/visitors from Containment Zones shall not be permitted. People residing inside Containment Zones may be encouraged to observe all festivals inside their homes and not move out.
- iii. Keeping in view the physical distancing norms, event sites should have adequate floor area and proper markings at all locations which are likely to be visited by public.
- iv. Adequate manpower shall be deployed/ arranged by the organizers to ensure observance to physical distancing norms and other preventive measures at all times.
- v. Appropriate arrangements for personal protection gears like face covers/masks, and other logistic like hand sanitizers, soap, sodium hypochlorite solution for sanitizing frequently touched surfaces etc. shall be made available by event organizers/business owners for their staff as per requirements.
- vi. Event organizers/business owners may make suitable provisions for contact less payment as far as possible.
- vii. A simple do's and don'ts advisory may be circulated / displayed prominently at each event venue.
- viii. Posters/standees/AV media on preventive measures from COVID-19 must be displayed prominently at the event sites.
- ix. All event managers shall brief the stall owners/staff on the Standard Operating Procedures of Ministry of Health and Family Welfare in the context of COVID.
- x. The event sites should have a designated isolation room/ space for isolating any person found symptomatic during events/shows/rallies, till such time that medical help is available.

b) Entry and exit to the event site

- i. Preferably multiple and separate entry and exits for visitors shall be ensured. The structure/space/venue for the event must also ensure adequate natural cross-ventilation.
- ii. Entrances to have mandatory hand hygiene and thermal screening provisions.
- iii. Only those staff and visitors who are free of symptoms shall be allowed inside the venue.
- iv. Anyone found symptomatic during thermal screening should be politely refused entry and advised to seek immediate medical care.
- v. All staff and visitors to be allowed entry only if using face cover/masks. The face cover/mask has to be worn by all at all times while in public places.
- vi. Physical distance of a minimum of 6 feet, when queuing up for entry and inside the venue as far as feasible. Specific marking for the purpose may be done.

- vii. Proper crowd management inside and outside premises like parking lots, waiting areas, stalls and eateries etc. — duly following physical distancing norms shall be ensured.
- viii. For entry into the religious places, shoes / footwear to be preferably taken off inside own vehicle. If needed, they should be kept in separate slots for each individual / family by the persons themselves.
- ix. Specific markings may be made with sufficient distant to manage the queue and ensure social distancing in the premises/venue.
- x. Preferably separate entry and exits for visitors shall be organized.
- xi. Maintain physical distancing of a minimum of 6 feet at all times when queuing up for entry or exit.

c) Movement within the event venue

- i. The number of visitors inside the event venue shall be restricted - in closed spaces, a maximum of 50% of the hall capacity will be allowed, with a ceiling of 200 persons and in open spaces keeping in view the size of the ground/space in view and with strict observance of social distancing - and in accordance with the order issued by Ministry of Home Affairs from time to time.
- ii. Only asymptomatic persons will be allowed entry to the venue/event.
- iii. Seating arrangement in the halls, pandaals, food courts, shows, etc. must ensure adequate physical distancing. Staggering of seat arrangements shall be done.
- iv. Any shops, stalls, cafeteria etc., outside and within the premises too shall follow physical distancing norms at all times.
- v. Arrangements for safe drinking water, if required, should be made (preferably with provision for disposable cups/glasses) in the event premises.
- vi. For air-conditioning/ventilation, the guidelines of CPWD shall be followed which emphasize that the (i) temperature setting of all air conditioning devices should be in the range of 24 - 30°C, (ii) relative humidity should be in the range of 40–70%, (iii) re-circulation of air to be avoided to the extent possible, (iv) intake of fresh air should be as much as possible and (v) cross ventilation should be adequate.
- vii. In religious places, touching of statues/idols / holy books etc. shall not be allowed and queues of devotees must adhere to social distancing norms.
- viii. Community kitchens/langars / "Ann-daan", etc. at event venue should follow physical distancing norms while preparing and distributing food.
- ix. Community kitchen managers and business owners of food outlets to ensure adherence to highest level of personal and environmental hygiene all the time, especially at the time of preparing, serving /eating meals and after disposal.

d) Sanitation and Hygiene

- i. Effective and frequent sanitation within the premises shall be maintained with particular focus on commonly touched surfaces/areas including lavatories, drinking and hand washing stations/areas.

- ii. Cleaning and regular disinfection (using 1% sodium hypochlorite) of frequently touched surfaces (doorknobs, elevator buttons, handrails, que barricades, seats, benches, washroom fixtures, etc.) to be made mandatory in all public utility common areas.
- iii. Visitors and staff should be advised to dispose of used face covers I masks in covered bins available at the premises. The waste thus generated may be disposed of in accordance with the hazardous waste disposal guidelines.

e) SOP to be followed in case of a suspect case or person who develops symptoms during the conduct of the event

- i. Place the ill person in a room or area where they are isolated from others.
- ii. The person will remain isolated while wearing a mask/face cover till such time he/she is examined by a doctor.
- iii. If symptoms deteriorate, inform the nearest medical facility (hospital/clinic) or call the State or District Helpline.
- iv. A risk assessment shall be undertaken by the designated public health authority (district RRT/treating physician) and accordingly further action be initiated regarding management of case, his/her contacts and need for disinfection.
- v. Disinfection of the premises to be taken up if the person is found positive.

7. Powers and Functions of District Administration

- The District Administration will take adequate measures to implement these SOPs.
- DRR Volunteers and IAG Network may be utilized to educate masses and enforce these measures.