

Rev (DMC) (C) 20-2/2020 – COVID 19
Government of Himachal Pradesh
Revenue Department – Disaster Management Cell

Shimla – 171002

Dated: 31st July 2020

ORDER

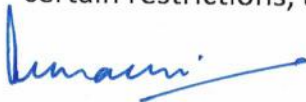
Whereas, an Order of even number dated 02.07.2020 was issued for extension of lock down in Containment Zones to arrest the spread of COVID-19 in the State for a period up to 31.07.2020 with guidelines for re-opening of activities in a calibrated manner in areas outside the Containment Zones under Unlock 2;

Whereas, on the directions of National Disaster Management Authority (NDMA) and in exercise of the powers, conferred under Section 10(2)(I) of the Disaster Management Act, 2005, the Chairperson National Executive Committee (NEC) has issued an Order No. 40-3/2020-DM-I(A) dated 29.7.2020 to extend the lockdown in Containment Zones up to 31.08.2020, and to re-open more activities in areas outside Containment Zones as per the Unlock 3 guidelines placed at Annexure -A;

Whereas, the guidelines of Ministry of Home Affairs empower the States and Union Territories in para 5 of these guidelines to prohibit certain activities outside the Containment Zones, or impose such restrictions as deemed necessary;

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, which necessitates continuation of certain restrictions, 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 extension of the lockdown up to 31.08.2020 in accordance with the directions contained in Order of NEC dated 29.7.2020 and directs all the Departments and Organisations of the Government, District Magistrates, Police Officers/Officials and Local Authorities of the State to ensure strict compliance with the directions of the SEC ibid. With the extension of the Lockdown period in Containment Zones with immediate effect and up to 31.08.2020, and new guidelines on Unlock 3 opening up more activities as per Annexure – A be implemented, with certain restrictions, as indicated:-



1. General Directions:

- (i) Religious places/places of worship shall be opened only as per the SOPs to be issued by the Department of Language, Art and Culture, HP, after ensuring full readiness to comply with the SOPs.
- (ii) Tourism units will be opened and operated as per the SOPs issued by the Department of Tourism Department from time to time.
- (iii) The Government Offices will function as per the orders issued by the Department of Personnel and SOPs issued by the Department of Revenue vide letter of even number dated 8th June, 2020 and as may be modified from time to time.
- (iv) Restaurant/dhabas can operate in accordance with SOPs issued by Department of Tourism from time to time.
- (v) Yoga institutes and gymnasium will be allowed to function from 5th August, 2020 as per SOPs will be issued by the Ministry of Health & Family Welfare, GOI.

2. Independence Day Functions:

Independence Day functions at State, District, Sub-Division, and Local Level and "At Home" functions, wherever held, will be allowed with social distancing and by following other health protocols e.g. wearing of masks. In this regard instructions issued by vide MHA letter No.2/5/2020-Public dated 21.7.20 shall be followed.

3. Movement of persons with SOPs:

Movement by *Shramik* special trains, movement of Indian Nationals stranded outside the country and of specified persons to travel abroad, evacuation of foreign nationals and sign—on and sign-off of Indian seafarers will continue to be regulated as per SOPs issued by the Government of India from time to time. Movement of persons by trains, domestic air travel, inter-state movement of industrial Workers, Industrialist, Traders, Raw material Suppliers, Service Providers, Inspecting Authorities will be regulated as per the SOPs placed at **Annexure – B**.

4. Monitoring the spread of COVID 19 and Contact Tracing:

In order to contain spread of COVID19 and ensure proper contact tracing in case of detection of COVID19 positive cases, the following measure will be taken:-

- (i) All inter-state movement to the State will be monitored through registration in COVID E-Pass Software (<http://covid19epass.hp.gov.in>) to monitor compliance with quarantine requirements and facilitate contact tracing of persons in the event of detection of COVID19 positive cases. All persons desirous of entering



the State shall enter their particulars in this online software and details of their arrival will be shared with all concerned for the purpose of quarantine requirement and contact tracing.

- (ii) The labour brought from outside the State by the Orchardists/Agriculturist/Contractors/Project Proponents/Industrialists or their contractors or any other person will be registered in COVID E-Pass Software (<http://covid19epass.hp.gov.in>).
- (iii) The persons travelling to the State or entering the State through rail and air route may do so on the basis of train ticket/air ticket and boarding pass subject to fulfilment of other terms and conditions as laid down in this Order. However, they may also be encouraged to register in COVID E-Pass Software (<http://covid19epass.hp.gov.in>).
- (iv) Daily/weekend commuters such as industrialists, traders, suppliers' factory workers, project proponents, etc. may enter and exit the State by providing their information to the Deputy Commissioners concerned. Those who have already obtained permission in this regards, need not do so again.
- (v) The Members of Armed Forces and Central Paramilitary Forces coming to the State or crossing through the State to join back their duty can enter/pass through the State on the strength of their official identity card without the requirement of registration in COVID E-Pass Software.
- (vi) The people coming to Himachal Pradesh State from other States shall strictly adhere to the prevailing Guidelines/SOPs issued by Department of Health and Family Welfare and Revenue Department (DM) of the State.

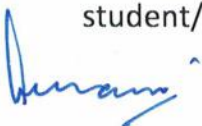
5. Public Transport and Movement of Vehicles:

- (i) Inter-State movement of public transport buses will remain prohibited. Taxis however can ply with registration on COVID 19 E-Pass Software (<http://covid19epass.hp.gov.in>). A Taxi driver coming into the State for dropping may be exempted from quarantine requirement, if he returns back within 24 Hours of the entry.
- (ii) Pass free inter-district movement of public transport buses, private vehicles, taxis and autos shall be allowed.
- (iii) Stage Carrier Public transport (HRTC and Private Buses) shall be allowed to operate with adequate measures for containment of COVID-19.
- (iv) The public transport taxis and private vehicles may ply on roads during the permitted hours.



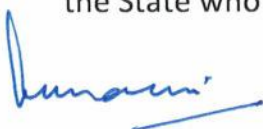
6. Quarantine Requirements:

- (i) The quarantine period for returnee(s) to the State will be as per the guidelines issued by the Department of Health and Family Welfare, Govt. of HP from time to time. The guidelines issued by the SEC vide order No. Rev(DMC)(F)4-2/2000/SEC dated 29th April, 2020 (Annexure-C) with regard to returnees to the State shall be implemented by all responsible authorities. However, the period of quarantine prescribed in these guidelines will stand modified to the extent as notified by the Department of Health and Family Welfare, Govt. of HP from time to time. Adequate IEC and monitoring may be done to ensure compliance of these guidelines by all concerned.
- (ii) All persons coming from high load COVID-19 infected cities, as notified by the Health and Family Welfare Department of Himachal Pradesh from time to time, will be institutionally quarantined. Only for exceptional and compelling reasons such as cases of human distress, pregnancy, death in family, serious illness and parent(s) accompanied by children below 10 years, as assessed by the receiving district and found justified, home quarantine may be permitted.
- (iii) All asymptomatic persons coming from all other States/cities will be home quarantined as per the guidelines issued by the Ministry of Health and Family Welfare, Govt. of India, from time to time.
- (iv) All persons coming from abroad will be quarantined as per the guidelines of Ministry of Health and Family Welfare, Govt. of India, issued from time to time.
- (v) All symptomatic and persons with ILI symptoms may be kept in institutional quarantine facilities.
- (vi) All persons who jump home quarantine will be immediately shifted to institutional quarantine facilities.
- (vii) Educational institutions may not be used as quarantine centres as far as possible. Preference may be given to community buildings, hotels, guest houses, etc.
- (viii) The students/candidates and the accompanying parents/wards may need to move in and out of State due to competitive/selection examinations. Hence, their movement may be facilitated by waiving off the condition of quarantine, if they exit or re-enter the State or vice-versa within a period of 72 hours. The Admit Card issued by the examination authority shall be a valid document to enter and exit the State and no separate registration will be required by the student/candidate and the accompanying parents/wards. During their visit to



the State for examination, they are allowed to stay in local hotels/units registered with the HP Tourism Department. Any student/candidate residing in containment zone and having no symptoms of COVID-19 may be allowed to move to appear in the examination with due notification to the authority conducting examination. However, due precaution will be taken by all concerned to prevent the spread of COVID-19.

- (ix) Those asking for better facilities other than identified by the District Administration, may be quarantined in paid facilities pre-identified and notified by the District Administration.
- (x) The labour brought from outside the State of Himachal Pradesh by the Orchardists/Agriculturist/Contractors/Project Proponents/Industrialist or their contractors or any other person to the work site will be brought with due approval of the District Administration and quarantined as per the guidelines of Department of Health & Family Welfare, Government of Himachal Pradesh issued from time to time. They will be allowed to work on work site only after completing the quarantine period or testing negative.
- (xi) Industrialists, traders, raw material suppliers, service providers, inspecting authorities covered under the relevant SOPs will be exempted from purview of Home Quarantine.
- (xii) The persons visiting the State for bonafide purpose of trade, business, job, project, service purpose, marriage ceremonies, commission agents, and *artihyas* with supporting documents and entering the State, and not coming from high load cities and other containment zones from rest of the country, may be exempted from the purview of quarantine.
- (xiii) Daily /weekend commuters' through Interstate barriers may also be exempted from quarantine requirement. However, it will be the individual's personal responsibility to report at health facility in case of flu/ ILI symptoms.
- (xiv) The residents of State exiting the State to visit other States for short duration for medical, business or office purpose and coming back to State within 48 hours, may also be exempted from any requirement of quarantine, provided they are asymptomatic. A system of stamping and verification of persons registered in the registration acknowledgement generated from COVID E-Pass Software (<http://covid19epass.hp.gov.in>) at the time of exiting the State at State border will be put in place and ensured that only those persons re-enter the State who had exited.



- (xv) The tourists with valid booking, for durations not less than 5 days and having been tested negative for COVID 19 through RT-PCR Test (Reverse Transcription Polymerase Chain Reaction) by an ICMR accredited/approved laboratory not earlier than 72 hours at the time of entry may also be exempted from the requirement of quarantine. However, he/she will take adequate measure like wearing of mask, social distancing, etc. to prevent spread of COVID-19.
- (xvi) Any person having been tested negative for COVID 19 through RT-PCR Test (Reverse Transcription Polymerase Chain Reaction) by an ICMR accredited/approved laboratory not earlier than 72 hours at the time of entry may also be exempted from the requirement of quarantine. However, he/she will take adequate measure like wearing of mask, social distancing, etc. to prevent spread of COVID-19.
- (xvii) Any person who has fully recovered from COVID-19 infection and possesses COVID-19 negative report issued through RT-PCR Test (Reverse Transcription Polymerase Chain Reaction) by an ICMR accredited/approved laboratory on entering the State may also be exempted from the purview of quarantine.

7. Use of Arogya Setu App:

- (i) Use of *Aarogya Setu* app shall be mandatory for all persons entering the State of Himachal Pradesh.
- (ii) With a view to ensuring safety in offices and workplaces, employers on best effort basis should ensure that *Aarogya Setu* is installed by all employees having compatible mobile phones.
- (iii) 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.

8. National Directives for COVID-19 Management:

In addition to the National Directives on COVID-19 Management as contained in Annexure I of MHA order, the following directives shall be strictly adhered to and enforced by all concerned authorities:

- (i) All the Heads of Offices/Institutions (Health, etc.), especially those with large public dealings, shall take steps to reduce overcrowding in their establishments, maintain social distancing, and reduce public footprints in offices. Use of online platforms and token/permits system will be encouraged to provide services and reduce queues in offices/institutions. Preference will be given to hold review meetings through web based systems.



- (ii) The Head of Office shall ensure implementation of SOPs (dated 4th June, 2020 and as may be modified from time to time) issued by the Government of India Ministry of Health & Family Welfare on preventive measures to contain spread of COVID-19 in offices and as reiterated by DMC, Department of Revenue vide letter of even number dated 8.6.2020.
- (iii) District Administration shall keep a close watch on crowding in urban settings and take proactive measures to implement social distancing and face cover/wearing of masks.
- (iv) All the office bearers of Panchayati Raj Institutions (PRIs) and Urban Local Bodies (ULBs) shall ensure implementation of directives with respect to number of people allowed to participate in marriage functions and funerals and restrictions imposed on social/political/sports/entertainment /academic/ cultural/religious functions and other large congregations in their respective jurisdictions. Violations of directives in this regard shall be brought to the notice of the District Administration forthwith.
- (v) All the project proponents, industrialists, contractors, orchardists, agriculturists, etc. will ensure that their workers maintain social distancing and take preventive measure to reduce spread COVID-19 in work place and residential settings.
- (vi) All non-essential travels, physical interactions and visits to public places/establishments shall be discouraged.

9. Community Awareness:

Responsible behavior on the part of all people through adoption of the prescribed safety precautions and self-regulation are critical to the containment measures being adopted for combating COVID-19. Negligence or non-adoption of prescribed safety measures can be harmful not only to the person concerned or his family and his colleague but also to the society as a whole. Therefore, there is continuous need to keep the awareness campaign alive and ensuring institutionalization of social distancing measure taken so far which have helped in containing the spread of COVID-19 in the State. In order to ensure this, the following measures may be taken:-

- a) Schools, colleges and other educational institution which are conducting online learning classes shall, in their teaching, necessarily shall incorporate the advice to students on key personal safety measures such as wearing face mask/covering faces in public places, practicing frequent hand washing, maintaining social distance of 6 feet, etc. The students may further be




encouraged to disseminate these personal and social habits within their family as well as others.

- b) The NGOs, CBOs and other voluntary organisations may also be encouraged to take up this matter with all earnest for disseminating this message.
- c) The District Administration should also involve DRR volunteers and those who have volunteered their services to fight COVID-19 in educating the public at vantage places and in ensuring social distancing as well as wearing face marks/cover.

10. Penal Provisions:

Any person violating these measures will be liable to be proceeded against as per the provisions of Section 51-60 of the Disaster Management Act, 2005, besides legal action under Section 199 of the IPC, and other legal provisions as applicable. Extract of these penal provisions is at Annexure II of MHA order.

This Order shall remain in force, in all parts of the State with immediate effect and till 31.08.2020 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.

Copy for information to:

- i. All the Members of SDMA.
- ii. All the members of the State Executive Committee.
- iii. Principal PS cum Special Secretary to Hon'ble CM-cum-Chairperson, SDMA.
- iv. Director Information and Public Relations for information and wider publicity.


Principal 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 29th July, 2020

ORDER

Whereas, an Order of even number dated 29.06.2020 was issued for containment of COVID-19 in the country, for a period upto 31.07.2020;

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 to re-open more activities in areas outside the Containment Zones and to extend the lockdown in Containment Zones upto 31.08.2020;

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 on **Unlock 3**, as **annexed**, will be in force upto 31.08.2020.


29/07/2020
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 Phased Re-opening (Unlock 3)

**[As per Ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-I (A)
dated 29th July, 2020]**

1. Activities permitted during Unlock 3 period outside the Containment Zones

In areas outside the Containment Zones, all activities will be permitted, except the following:

- (i) Schools, colleges, educational and coaching institutions will remain closed till 31st August, 2020. Online/ distance learning shall continue to be permitted and shall be encouraged.
- (ii) Cinema halls, swimming pools, entertainment parks, theatres, bars, auditoriums, assembly halls and similar places.
Yoga institutes and gymnasiums will be allowed to function from 5th August 2020 for which, Standard Operating Procedure (SOP) will be issued by the Ministry of Health & Family Welfare (MoHFW).
- (iii) International air travel of passengers, except as permitted by MHA.
- (iv) Metro Rail.
- (v) Social/ political/ sports/ entertainment/ academic/ cultural/ religious functions and other large congregations.

Dates for re-starting the above activities may be decided separately and necessary SOPs shall be issued for ensuring social distancing and to contain the spread of COVID-19.

2. Independence day functions

Independence day functions at National, State, District, Sub-Division, Municipal and Panchayat levels and 'At Home' functions, wherever held, will be allowed with social distancing and by following other health protocols e.g. wearing of masks. In this regard instructions issued vide MHA letter no 2/5/2020-Public dated 21.07.2020 shall be followed.

3. National Directives for COVID-19 Management

National Directives for COVID-19 Management, as specified in **Annexure I**, shall continue to be followed throughout the country.


4. Lockdown limited to Containment Zones

- (i) Lockdown shall continue to remain in force in the Containment Zones till 31st August, 2020.
- (ii) Containment Zones will be demarcated by the District authorities after taking into consideration the guidelines of MoHFW with the objective of


29/07/2020

effectively breaking the chain of transmission. These Containment Zones will be notified on the websites by the respective District Collectors and by the States/ UTs and information will be shared with MOHFW.

- (iii) In the Containment Zones, only essential activities will be allowed. 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. In the Containment Zones, there shall be intensive contact tracing, house-to-house surveillance, and other clinical interventions, as required. Guidelines of MoHFW shall be effectively implemented for the above purpose.
 - (iv) Activities in the Containment Zones shall be monitored strictly by the State/ UT authorities, and the guidelines relating to containment measures in these zones shall be strictly implemented.
 - (v) States/ UTs may also identify Buffer Zones outside the Containment Zones, where new cases are more likely to occur. Within the buffer zones, restrictions as considered necessary may be put in place by the District authorities.
5. **States/ UTs, based on their assessment of the situation, may prohibit certain activities outside the Containment zones, or impose such restrictions as deemed necessary.**
- However, 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.
6. **Movement of persons with SOPs**
- Movement by passenger trains and *Shramik* special trains; domestic passenger air travel; movement of Indian Nationals stranded outside the country and of specified persons to travel abroad; evacuation of foreign nationals; and sign-on and sign-off of Indian seafarers will continue to be regulated as per SOPs issued.
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 are advised to stay at home, except for essential and health purposes.
8. **Use of *Aarogya Setu***
- (i) *Aarogya Setu* enables early identification of potential risk of infection, and thus acts as a shield for individuals and the community.


29/07/2020

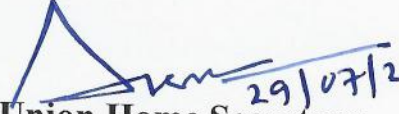
- (ii) With a view to ensuring safety in offices and work places, employers on best effort basis should ensure that *Aarogya Setu* is installed by all employees having compatible mobile phones.
- (iii) District authorities may advise individuals to install the *Aarogya Setu* application on compatible 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.

9. Strict enforcement of the guidelines

- (i) State/ UT Governments shall not dilute these guidelines issued under the Disaster Management Act, 2005, in any manner.
- (ii) All the District Magistrates shall strictly enforce the above measures.

10. 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 action under Section 188 of the IPC, and other legal provisions as applicable. Extracts of these penal provisions are at **Annexure II**.


29/07/2020
Union Home Secretary

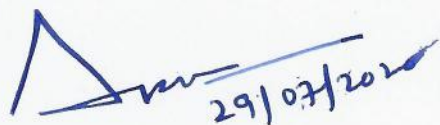
and, Chairman, National Executive Committee

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 a minimum distance of 6 feet (2 gaz ki doori) in public places.
Shops will ensure physical distancing among customers.
3. **Gatherings:** Large public gatherings/ congregations continue to remain prohibited.
Marriage related gatherings : Number of guests not to exceed 50.
Funeral/ last rites related gatherings : Number of persons not to exceed 20.
4. **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.
5. **Consumption of liquor, paan, gutka, tobacco etc.** in public places is prohibited.

Additional directives for Work Places

6. **Work from home (WfH):** As far as possible the practice of WfH should be followed.
7. **Staggering of work/ business hours** will be followed in offices, work places, shops, markets and industrial & commercial establishments.
8. **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.
9. **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.
10. **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.



29/07/2020

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 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.



**HIMACHAL PRADESH STATE DISASTER MANAGEMENT AUTHORITY
THE DISASTER MANAGEMENT CELL (DMC), GOVERNMENT OF HIMACHAL PRADESH
STATE EMERGENCY OPERATIONS CENTRE (SEOC)**

TOLL FREE NO. : 1070

EMAIL ID: sdma-hp@nic.in

No. Rev (DMC) (C) 20-2/2020-COVID-19

Dated: 31st July 2020

1. SOPs FORMOVEMENT OF TRAINS IN/OUT THE STATE OF HIMACHAL PRADESH

a) At the Boarding Station:

- i. All passengers must wear face cover / mask and maintain social distancing.
- ii. Only passengers with confirmed tickets will be allowed to enter the railway platform to avoid unnecessary crowding (No Attendants are allowed).
- iii. All passengers will undergo health screening before entry into the platform.
- iv. All passengers will reach at least 1 Hour 30 Minutes before the departure time.
- v. Only asymptomatic passengers can board trains. Passengers found to be symptomatic or high-risk during screening shall be taken to a health facility for testing. If tested positive, they would be treated as per health protocol.
- vi. *Aarogya Setu* App to be installed mandatorily by all individuals with Android and iOS phones before boarding the Trains/entering the State/Railway Station.
- vii. Maintaining of full protocol of social distancing and other guidelines issued by Ministry of Home Affairs & Ministry of Health & Family Welfare while boarding & de-boarding.
- viii. **The tourists with valid booking, for durations not less than 5 days and having been tested negative for COVID 19 through RT-PCR Test (Reverse Transcription Polymerase Chain Reaction) by an ICMR accredited/approved laboratory not earlier than 72 hours at the time of entry to State may be allowed to board the train to HP.**

b) At the Destination Railway Station

- i. Arrangement for thermal screening and test for check ILI/flu like symptoms to be done at the railway stations by the District Administration.
- ii. Passengers found to be symptomatic or high-risk during screening shall be segregated and

taken to a health facility for testing. If tested positive, they would be treated as per health protocol.

- iii. District Administration concerned will prepare the database of all the arrivals and share with the concerned District authorities.
- iv. District Administration may mobilize local taxi unions/public transport to provide transport facilities, if required on payment basis.
- v. The arriving passengers requiring transport from Railway Station to go to home/place of business may only use taxi services or make their own travel arrangement in private vehicles, in case public transport is not available.

c) After Exiting the Railway Station

- i. The confirmed train ticket will be a valid document for the movement beyond the Railway Stations to respective destination in Himachal Pradesh subject to fulfilment of other conditions laid down by the State Executive Committee and Department of Health and Family Welfare from time to time. The traveller needs to carry a Valid ID Card to prove his identity at the entry point in State/Railway Station. However, the traveller is also advised to register in COVID E-Pass Software (<http://covid19epass.hp.gov.in>) before entering the State.
- ii. All persons after leaving railway station and on their arrival in Himachal Pradesh are essentially required to provide their arrival information to the local ULBs/PRI, as applicable in accordance with the order of the State Executive Committee (SEC) issued vide letter No. Rev(DMC)(F)4-2/2000/SEC dated 29th April, 2020.
- iii. The concerned ULB & PRI will monitor the person with the help of the local ASHA/ Health worker regularly as per the guidelines of the Department of Health and Family Welfare, Govt. of HP.

d) Guidelines for Railway Authorities

- i. Concerned Railways Authorities of originating Station shall share list of passengers travelling to Himachal Pradesh with the concerned Deputy Commissioner in HP as soon as possible but not later than half an hour of the departure of train to the designated place in HP.
- ii. Sufficient Railway Police Force (RPF) be deployed at the Railway Stations.

e) General Instructions

- i. Passengers who have a return ticket scheduled before the completion of duration of quarantine shall be allowed to return only if he/she is asymptomatic.
- ii. Confirmed train ticket would be enough to travel from place of business/ residence to railway station. No travel/vehicle permit would be needed separately for this purpose.

2. SOPs FOR MOVEMENT OF TRAVELLERS BY DOMESTIC FLIGHTS IN AND OUT OF THE STATE

a) At the Originating Airport:

- i. All passengers must wear face cover / mask and maintain social distancing.
- ii. Only passengers with confirmed tickets will be allowed to enter the airport to avoid unnecessary crowding (No Attendants are to be allowed).
- iii. All passengers will undergo health screening before entry into the airport.
- iv. Only asymptomatic passengers can board aeroplane. Passengers found to be symptomatic or high-risk during screening shall be taken to a health facility for testing. If tested positive, they would be treated as per health protocol.
- v. *Aarogya Setu* App to be installed mandatorily by all individuals with Android and iOS phones before entering the airport/entering the State.
- vi. Maintaining of full protocol of social distancing and other guidelines issued by Ministry of Home Affairs & Ministry of Health & Family Welfare while boarding & de-boarding.
- vii. **The tourists with valid booking, for durations not less than 5 days and having been tested negative for COVID 19 through RT-PCR Test (Reverse Transcription Polymerase Chain Reaction) by an ICMR accredited/approved laboratory not earlier than 72 hours at the time of entry to State may be allowed to board the aeroplane to HP.**

b) At the Destination Airport

- i. Arrangement for thermal screening and test for check ILI/flu like symptoms to be done at the airport by the District Administration concerned.
- ii. Passengers found to be symptomatic or high-risk during screening shall be segregated and taken to a health facility for testing. If tested positive, they would be treated as per health protocol.
- iii. District Administration concerned will prepare the database of all the arrivals and share with the concerned District authorities.
- iv. District Administration may mobilize local taxi unions/public transport to provide transport facilities, if required, on payment basis.
- v. The arriving passengers requiring transport from Airport to go to home/place of business may only use taxi services or make their own travel arrangement in private vehicles.

c) After Exiting the Airport

- i. The confirmed air ticket and boarding pass will be a valid document for the movement beyond the Airport to respective destination in Himachal Pradesh subject to fulfilment of other conditions laid down by the State Executive Committee and Department of Health and Family Welfare from time to time. The traveller needs to carry a Valid ID Card to prove his identity at the entry point in Airport. However, the traveller is also advised to register in COVID E-Pass Software (<http://covid19epass.hp.gov.in>) before entering the State.

- ii. All persons after leaving airport and on their arrival in Himachal Pradesh are essentially required to provide their arrival information to the local ULBs/PRI, as applicable in accordance with the order of the State Executive Committee (SEC) issued vide letter No. Rev(DMC)(F)4-2/2000/SEC dated 29th April, 2020.
- iii. The concerned ULB & PRI will monitor the person with the help of the local ASHA/ Health worker regularly as per the guidelines of the Department of Health and Family Welfare, Govt. of HP.

d) Guidelines for Airport Authorities

- i. Concerned Airport Authorities of originating location shall share list of passengers travelling to Himachal Pradesh with the concerned Deputy Commissioner in HP as soon as possible but not later than half an hour of the departure of aeroplane to the designated place in HP.
- ii. Sufficient Police Force be deployed at the Airport.

e) General Instructions

- i. Passengers who have a return air ticket scheduled before the completion of duration of quarantine shall be allowed to return only if he/she is asymptomatic.
- ii. Confirmed air ticket would be enough to travel from place of business/ residence to airport. No travel/vehicle permit would be needed separately for this purpose.

3. SOPs FOR INTERSTATE MOVEMENT OF EMPLOYEES AND PROMOTERS OF INDUSTRIES

- i. The units which intend to bring its employees /workers from out of state to BBN/Parwanoo/Una/Kala Amb/Paonta Sahib/Gwalthai & other areas on daily basis shall apply to the concerned Deputy Commissioner or the Officer authorized by DC as per format (giving complete details of the employees as well as vehicle to be used for transportation of these employees along-with movement plan.) through email/ other electronic means.
- ii. Industrial Areas like BBN, Parwanoo, Kala Amb, Paonta Sahib, Gwalthai, etc are situated on the border areas of the State of H.P. and a number of Industrial Workers working in these Industrial areas reside in close vicinity of around 3 kms. However, the areas fall in the adjoining states and thereby attracts interstate clause. Earlier, these Industrial workers used to come on foot from their places of residences through respective toll barriers/ specified routes. Keeping in view the above, these industrial workers may be allowed subject to production of I-Cards of the workers and undertaking from the worker as well as the concerned company. The entry will be allowed on through specified route to be notified by the concerned district.
- iii. Factory owners/Senior management officers will be allowed to come from outside State except from Containment Zones on their own / company's vehicle on alternate days.
- iv. The Unit will give undertaking to follow laid down SOPs for Daily commuting of their respective workforce under the said permission.
- v. An undertaking will be given by employee travelling into BBN and other industrial areas of the state from other states under the said permission that after going to home he will take all the precautions for prevention of COVID-19 and will avoid any unwarranted intermingling with people outside his home which may pose risk of transmission of COVID-19 infection.
- vi. Employees will be transferred in sanitized vehicle from their respective place of residence to workplace and back.
- vii. It will be mandatory for each employee to wear face mask and sanitizers will be made available in the vehicle.
- viii. Each employee will be screened before boarding into vehicle (which will be used exclusively for transportation of employees) by checking his temperature and symptoms, if any and proper record of the same will be maintained by the Unit.
- ix. Employees will be made to sit in the vehicle as per MHA guidelines/ instructions of the State Government by maintaining required social distance.
- x. Vehicle will not stop anywhere after entering HP territory till the concerned factory premises and no employee will be allowed to get down from the vehicle on the way.
- xi. After reaching at factory, they will be allowed entry to unit after observing SOPs maintained by the Unit. Company will not allow to move these employees from out of the factory during their duty hours.
- xii. While working in factory and during break/lunch hours SOPs needs to be followed.
- xiii. While leaving back after duty, again they will be screened for temperature and symptoms

before boarding the vehicle and will be dropped at their respective places by vehicle by following Social Distancing norms.

- xiv. The persons living in the border towns/ areas of the state and work in the adjoining areas located in other states/ Chandigarh may also be allowed to commute daily to their work places on production of I cards and subject to following the laid down protocols.
- xv. The labour brought from outside the State of Himachal Pradesh by the industrialists or their contractors to the industrial areas for work in industrial units will be brought with due approval of the District Administration and quarantined as per the guidelines of Department of Health & Family Welfare, Government of Himachal Pradesh issued from time to time. The industrialists/contractors will arrange for suitable accommodation for quarantine for the labour so brought to the State.



4. SOPs FOR INTERSTATE MOVEMENT OF TRADERS/RAW MATERIAL SUPPLIERS/SERVICE PROVIDERS/INSPECTING AUTHORITIES

- i. The Traders/Raw Material Suppliers/Service Providers/Inspecting Authorities who intend to visit from out of State to BBN/Parwanoo/Una/Kala Amb/Paonta Sahib/Gwalthai & other areas on daily basis shall apply to the concerned Deputy Commissioner or the Officer authorized by Deputy Commissioner as per format prescribed by him (giving complete details of the vehicle to be used for transportation along-with movement plan) through email/ other electronic means.
- ii. The Traders/Raw Material Suppliers/Service Providers/Inspecting Authorities may be allowed subject to production of I-Cards, undertaking from them and the concerned company. The entry will be allowed through specified route to be notified by the concerned district authority.
- iii. The Traders/Raw Material Suppliers/Service Providers/Inspecting Authorities will be allowed to come from outside the State except from Containment Zones on their own/company's vehicle as and when required.
- iv. An undertaking will be given by the Traders/Raw Material Suppliers/Service Providers/Inspecting Authorities travelling into BBN and other areas of the State from other states under the said permission that after going to home they will take all the precautions for prevention of COVID-19 and will avoid any unwarranted intermingling with people outside his/her home which may pose risk of transmission of COVID-19 infection.
- v. The Traders/Raw Material Suppliers/Service Providers/Inspecting Authorities will travel in sanitized vehicle for to and fro journey.
- vi. It will be mandatory for such Traders/Raw Material Suppliers/Service Providers/ Inspecting Authorities to wear face mask and maintain social distancing norms in their daily operations/interactions.
- vii. The Traders/Raw Material Suppliers/Service Providers/Inspecting Authorities will travel in the vehicle as per MHA guidelines/ Sate Government instructions by maintaining required social distance.
- viii. Vehicle will not stop anywhere after entering HP territory till the concerned factory premises/workplace/place of business.
- ix. After reaching at factory/workplace/place of business, they will be allowed entry after observing SOPs maintained by the Unit/Workplace/place of business.
- x. The Traders/Raw Material Suppliers/Service Providers/Inspecting Authorities living in the border towns/ areas of the State may also be allowed to commute daily on production of I-Cards and subject to following the laid down protocols.

5. SOPs FORMOVEMENT OFINDIAN (HP) NATIONALS STRANDED OUTSIDE THE COUNTRY

a) **Appointment of Nodal Officers and Collection of Information**

- i. Many Indian Nationals (residents of Himachal Pradesh) who had travelled to different countries before the lockdown, for various purposes such as studies/internships, tourism, business, etc., are stranded abroad. Due to their prolonged stay abroad, they are facing distress and are desirous of returning to India (Himachal Pradesh) urgently.
- ii. Apart from the above cases, there are other Indian Nationals (residents of HP) who need to visit India (HP) in medical emergencies or death of a family member.
- iii. In order to receive them in airports/ports and facilitate their movement to HP, the following Officers will be responsible for coordination of the entire process:
 - a. Resident Commissioner, Himachal Bhavan, New Delhi as State Nodal Officer (**Contact: 011 23716574 & Email: rescm-hp@nic.in; Fax: 011 23715087**) – Overall Incharge
 - b. Deputy Resident Commissioner, Himachal Bhavan, New Delhi as Nodal Officer (**Contact: 011 23711964; email: rc_hpnd@yahoo.com**). He will also coordinate with officers responsible for receiving international arrivals at Chandigarh, Amritsar and other locations.
 - c. The Assistance Commissioner Parwanoo shall be responsible for receiving and facilitating the movement of HP residents landing at Chandigarh Airport as and when there is flight to the Chandigarh airport.
 - d. The Deputy Commissioner, Kangra will depute suitable officer and other supporting staff, on need basis, to receive arrivals at Amritsar airport.
- iv. The contact details of the Chief Coordinator for Himachal Pradesh appointed by Ministry of External Affairs (MEA), Government of India:
 - a. Sh. Robert Shetkintong, Joint Secretary, Ministry of External Affairs (**Contact: 011 23012987 & Email: jscoord@mea.gov.in**)
- v. The Nodal Officer appointed by the State Government will ensure the collection of the **data of all stranded individuals recorded by Indian Missions abroad and who are desirous** to return to Himachal Pradesh in close coordination with the Nodal Officer for Himachal Pradesh in the Ministry of External Affairs, Government India.
- vi. The State Emergency Operation Center (SEOC) and State Government have also been receiving calls for evacuation from Himachali residents stuck up abroad and will share their information with the Nodal Officer HP cum Deputy Resident Commissioner for further follow up with MEA and others.
- vii. The list of passengers will be shared by MEA with the Office of the Principal Resident Commissioner, HP before their arrival. On intimation of the arrival of flights carrying stranded passengers from aboard, the Deputy Resident Commissioner shall coordinate to send Team of Officials from RC Office New Delhi to Delhi Airport, and mobilise other officials to other airports/ports to receive them as per the SOP issued by Ministry of Home Affairs (MHA).

b) Facilitation of Movement

- i. The State Nodal Officer will create database of the asymptomatic individuals who are allowed by the MEA to travel back to the State after landing in New Delhi or other airports/ports.
- ii. The Nodal Officers will ensure to set up a HP Help Desk at the incoming airports/ports. A reception at the respective airports will be setup by the officers concerned. Similar arrangements may be coordinated at other airports/ports by the Deputy Resident Commissioner cum Nodal Officer.
- iii. The Nodal Officer will ensure maintaining of full protocol of social distancing and other guidelines issued by Ministry of Home Affairs & Ministry of Health & Family Welfare while receiving persons belonging to HP.
- iv. The Deputy Resident Commissioner cum Nodal Officer should contact MEA, MoCA & Air India/other airlines to obtain manifest of passengers from HP.
- v. The boarding pass of the passenger will serve as permit to move to and reach designated place in HP.
- vi. The Deputy Resident Commissioner cum Nodal Officer will share the list of persons arriving in airports/ports with the Deputy Commissioners of the concerned district to make the latter arrange for receiving and quarantine them.
- vii. The Nodal Officer and officer at the other locations will facilitate transportation arrangements for travellers on payment basis.

c) Safety Measures (Social Distancing & Hygiene and Disinfection) During Journey Period

- i. Bus/taxi shall be thoroughly sanitized before allowing the persons to board.
- ii. Social distancing norms in seating will be followed.
- iii. Driver and passenger to wear masks during the journey.
- iv. *Aarogya Setu* App to be installed by all individuals with Android and iOS phones before boarding the bus/vehicle/entering the State.

d) Reception – Health Screening and Medical Check Ups

- i. On arrival at the International Airports/ports, medical examination of all incoming passengers will be ensured before allowing them to move to HP.
- ii. Health Department of HP will provide staff and instruments for screening of all arrivals in all locations.
- iii. As per the SOP of MHA, passengers found to be COVID positive shall be taken to the designated medical facilities as finalised by the Health Department of the concerned State where the flight lands.
- iv. The remaining passengers shall be dispatched to their destination by taxis/buses arranged by the Nodal Officer/other designated officers/HPTDC on payment basis,

where these passengers shall be institutionally quarantined for 7 days.

- v. Arrangement for thermal screening to check ILI/flu like symptoms may also be done at the entry point of the border check post/district concerned of HP.
- vi. The districts will make necessary arrangement for receiving the incoming international stranded persons and housing them in suitable quarantine facilities.

e) Institutional Quarantine on Arrival at the Destination: By the District Admin. & HPTDC, etc.

- i. The Government of Himachal Pradesh (GoHP) may identify HP Tourism Development Corporation (HPTDC) Hotels and other Hotels for institutional quarantine of returnees to the State.
- ii. These facilities shall be arranged to the returnees on payment basis.
- iii. The MD-HPTDC/ owner of the Hotel shall ensure that these identified Hotels maintain proper hygiene, cleanliness, sanitization and public order as required for quarantine center.
- iv. The Health Department, HP shall depute sufficient doctors and paramedical staff to carry out regular health check-up of passengers being quarantined at the identified HPTDC/other Hotels for 7 days.
- v. The quarantine center to have provision of food, drinking water, washrooms, medical screening, security, etc.
- vi. MD-HPTDC shall issue SOPs for operations and management in respect of the Hotels to be used for quarantine purposes. The SOPs of HPTDC will also be followed by other hotels.
- vii. It may be ensured that all inmates of these centres observe social distancing, personal hygiene and wear masks at all times.
- viii. Any violators or unruly guest behaviour must be reported to the officers of the law. HPTDC/Hotel Owners shall ensure that public areas such as restaurants, bars, lobby, conference/meeting halls, swimming pools, gymnasium etc. are not used.
- ix. All the guests, staff or any other persons entering the Tourism Unit/other hotels must be screened for COVID-19 by a thermal scanner and proper record be maintained thereof.
- x. The movement of all inmates, outside their rooms shall be monitored through the CCTV installed in the hotels.
- xi. The management of the HPTDC/other Hotels will extend all the assistance to the District Administration, Medical Authorities and the Police in furtherance of this SOP.
- xii. Use of lifts may be avoided and if situation warrants its use, then not more than 2 persons be allowed after following social distancing.
- xiii. If the passengers are found COVID negative after 7 days, they will be allowed to go home

for home quarantine and will undertake self-monitoring of their health for 7 more days as per MHA protocol.

- xiv. He/she will sign an undertaking to ensure self-monitoring of his/her health for 7 more days as per protocol.
- xv. The persons will be shifted to the medical facility maintained by the State Government at the earliest, if found positive for COVID-19 at any stage.

f) Post Discharge from the Institutional Quarantine

- i. All persons after leaving institutional quarantine facility are essentially required to provide their arrival information to the local ULBs/PRI, as may be applicable in accordance with the order of the State Executive Committee (SEC) issued vide letter No. Rev(DMC)(F)4-2/2000/SEC dated 29th April, 2020. However, the period of home quarantine will be 7 days instead of 14 days.
- ii. The concerned ULB & PRI will monitor the person with the help of the local ASHA/ Health worker regularly for at least next 7 days.
- iii. If the person is found to be symptomatic of ILI or COVID 19, the concerned ASHA/Health Worker will immediately report the matter to the Health Authorities.
- iv. Health Authorities will immediately take the sample of the individual for COVID 19 and take further necessary action as per the outcome of the test report.

g) General Instructions

- i. The Nodal Officers are authorised to associate officers/officials of their office to perform the task assigned to them.
- ii. The Nodal Officers are fully empowered to make all arrangements for the movement of the incoming international stranded persons including making arrangement for transportation, logistics, coordinate with districts, etc. issuing NOCs, authorisations and taking all the required measures for smooth movement of the stranded persons to the State of HP.
- iii. The Nodal Officers will keep posted the State Nodal Officer who in turn will keep the State Government informed of the action being taken and share database of persons arriving in different airports/ports on regular basis.
- iv. At District and Sub-divisional level, the concerned DC and ADM/ADC will coordinate with the Nodal Officers for movement of international stranded persons returning to Himachal Pradesh.



**Principal Secretary (Revenue) to the
Government of Himachal Pradesh**