

**U.T. ADMINISTRATION OF
DADRA & NAGAR HAVELI AND DAMAN & DIU
STATE DISASTER MANAGEMENT AUTHORITY
SECRETARIAT, DAMAN**

No. DMHS/COVID-19/2020/ 732

Date: 03.08.2021

Read: Order No. DMHS/COVID-19/2020/581 dated 30th June, 2021.

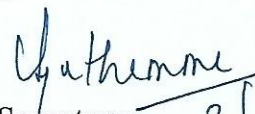
ORDER

Whereas, in exercise of the powers under Section 10(2)(i) of the Disaster Management Act 2005, the Chairperson, NEC has issued an Order No. 40-3/2020-DM-I(A) dated 28th July 2021 that the guidelines for the containment measures for COVID-19, as conveyed by the Ministry of Health and Family Welfare vide DO No. Z.28015/85/2021-DM Cell dated 28th June, 2021, will remain in force upto 31st August, 2021.

And Whereas, the UT Administration of Dadra & Nagar Haveli and Daman & Diu vide Order No. DMHS/COVID-19/2020/2634 dated 23.03.2020, notified strict and intensive measures in the Union Territory in order to ensure social distancing and isolation measures for the containment of Covid-19. And thereafter, the UT Administration, vide various Orders issued from time to time, stipulated Guidelines of the measures along with Directives and Standard Operating Procedures (SOPs) to be taken by various departments/institutions in the Union Territory of Dadra & Nagar Haveli and Daman & Diu for the containment of the spread of COVID-19 in the Territory.

Now therefore, in continuation of this Administration's earlier Order quoted above in the preamble and in pursuance of guidelines issued by the MHA, GoI vide Order No.40-3/2020-DM-I(A) dated 28.07.2021, this Order along with its annexed guidelines shall remain in force upto 31.08.2021 (or) till further orders.

By order and in the name of the
Hon'ble Administrator,
U.T of Dadra & Nagar Haveli and Daman & Diu


Secretary 3/8/2021

Health & Family Welfare

Copy for information and necessary action to:

1. PS to Hon'ble Administrator, Secretariat, Daman.

2. PS to Advisor to the Administrator, Secretariat, Daman.
3. The Secretary (I&P), Secretariat, Daman for wide publicity.
4. All the Administrative Secretaries, DNH&DD for information and necessary action please.
5. The Deputy Inspector General of Police, DNH&DD.
6. All the Collectors of the U.T of Dadra and Nagar Haveli and Daman and Diu.
7. All the Superintendents of Police, DNH&DD
8. The Director of Medical and Health Services, DNH&DD
9. The State Informatics Officer, NIC, Secretariat, Daman for uploading the same on official website of this Administration.
10. All the Head of Offices for information and necessary action please.
11. Office file.

**GUIDELINES FOR EFFECTIVE CONTROL AND CONTAINMENT OF
COVID 19**

(I) COVID Appropriate Behaviour:

1. The District Administration shall take all necessary measures to promote COVID 19 appropriate behaviour. Strict enforcement of wearing of face masks, hand hygiene and social distancing must be ensured at all public/work places.
2. Any violation shall be dealt with in a stringent manner in accordance with the Order no. DMHS/COVID-19/2020/416 dated 31.08.2020 and the Order No. DMHS/COVID-19/2020/828 dated 20.11.2020, wherein the District/Local Administration shall levy fines/take penal actions by virtue of powers conferred under Disaster Management Act 2005.

(II) Strict adherence to the prescribed SOPs and issued protocols:

1. SoPs that have been prescribed for various activities by the UT Administration from time to time with respect to Commercial/ Private Establishments, Industries, Educational/ Religious Institutions, hospitality services shall be strictly enforced by the District Administration.
2. Social / Academic / Sports / Cultural / Religious / Political functions and other congregations are permitted with a maximum limit of 100 persons outside Containment Zones subject to the following conditions:
 - (a) In closed spaces, a maximum of 50% of the Hall capacity will be allowed subject to a maximum limit of 100 persons. Wearing of face masks, maintaining social distancing, provision for thermal scanning and use of handwash or sanitizer will be mandatory.
 - (b) In open spaces, such gatherings are allowed keeping the size of the ground/space in view, however, subject to a maximum of 100 persons only and with strict observance of Covid Appropriate Behaviour and issued protocols.
3. *Up to 100* A maximum of 100 guests are allowed in marriage related gatherings and 50 persons for funeral/last rite related gatherings.
4. Night curfew shall be imposed between 10:00PM to 6:00AM everyday till further orders.
5. Public places like parks, gardens etc. shall be opened to the general public after thorough disinfection and prior maintenance. Covid Appropriate Behaviour shall be strictly ensured.

6. The Beaches and beach roads shall be opened to the general public on all days, subject to strict enforcement of social distancing and wearing of masks to prevent any spread of infection amongst the crowd.
7. Gymnasiums, Spas and Swimming pools shall be allowed to function with strict enforcement of SOPs issued for COVID-19 Appropriate behavior.
8. Cinema Theatres/Multiplexes shall be allowed to function with 50% of seating capacity, subject to strict observance of the SOPS and protocols as issued by the UT Administration.
9. Hotels/Resorts/Restaurants shall be allowed to function with 50% of Dine in capacity only, subject to strict observance of Covid Appropriate behaviour and issued protocols. In the Hotels and Resorts, it shall be ensured by the District/Local Administration that the guests are allowed after due vaccination.
10. Markets, weekly bazaars, village haats shall be permitted with observance of social distancing, wearing of masks and adhering to Covid appropriate protocols. The District Administration shall ensure 100% vaccination coverage of all shopkeepers, vendors etc who partake in these places.
11. Higher Education Institutions/Coaching/Training Institutions and Schools from 9th to 12th Standard shall be allowed to conduct offline classes. The Departments concerned shall ensure 100% vaccination of the eligible Students in Higher & Technical Education Institutes, Teaching Staff, Non Teaching Staff and observance of all Covid Appropriate Behaviour/ Protocol. Necessary consent to be obtained from parents for allowing the students to attend offline classes and classes shall be conducted with 50% of capacity of the classrooms.
12. Schools upto 8th Standard shall remain closed till further orders.
13. Entertainment activities such as water sports are prohibited.
14. All shops selling Paan/Gutkha and Tobacco Products are prohibited.

(III) Covid-19 Vaccination:

1. In accordance with the guidelines issued by the MoHFW, vaccination for COVID-19 is being carried out extensively for the population in the UT.
2. The District Administration along with Officials of the District Panchayats, District Municipal Councils shall continue to mobilize people and achieve full vaccination coverage of the eligible population.
3. The Public Representatives, NGOs, Religious leaders, Management of Industries, Housing societies shall actively participate and invoke community participation in the said process in a mission mode.

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Strict enforcement of the guidelines:

All the District Magistrates shall strictly enforce the above measures. For the enforcement of social distancing, District Administration may, as far as possible, use the provisions of Section 144 of the Criminal Procedure Code (CrPC) of 1973.

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**.

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U.T. 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 local authority in accordance with its laws, rules or regulations.

➤ Additional directives for Work Places:

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 and other staff.

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.



राजेश भूषण, आईएएस
सचिव

RAJESH BHUSHAN, IAS
SECRETARY



ANNEXURE-IV

भारत सरकार
स्वास्थ्य एवं परिवार कल्याण विभाग
स्वास्थ्य एवं परिवार कल्याण मंत्रालय
Government of India
Department of Health and Family Welfare
Ministry of Health and Family Welfare
D.O No. Z.28015/85/2021-DM Cell
28th June 2021

This is in reference to my earlier DO letter of even number dated 25th April, 2021 wherein Ministry of Health and Family Welfare had shared with all States/UTs an implementation framework for intensive action and local containment in specific and well defined geographic units, to break and suppress the chain of transmission of SARS COV-2. This was also later reiterated by the Ministry of Home Affairs and orders regarding the same were issued under the DM Act 205 vide letter no. 40-3/2020-DM-I(A) dated 29th April 2021.

2. With a rise in COVID 19 trajectory across the country in April and May 2021, many States and UTs have undertaken restrictions and containment measures as per the aforesaid implementation framework. As a result, the trajectory of COVID 19 pandemic in the country is presently showing a steady decline.

3. In view of the declining number of cases being reported many States have initiated the implementation of relaxation measures. In this context it is critical that the lifting of restrictions/providing relaxations be carefully calibrated with continued focus on containment efforts to curb the spread of infection.

4. In order to bring uniformity in implementing graded restriction/relaxation measures for COVID 19, the need for following the framework earlier shared with the States for either imposition of restrictions or allowing relaxations based on the burden of disease and strain on healthcare infrastructure still remain important. Prompt and targeted actions need to be implemented by the States as detailed below:

A. Guiding Principles

- Monitoring of cases with districts as administrative units be done on a regular basis. Necessary action for containment and health infrastructure upgradation be done, by further micro analysis based on clusters of cases at the district level
- Case positivity calculated based on total positive cases vis-a-vis samples tested during the week is one of the prime indicators of the spread of infection in a district. Higher case positivity would imply the need for stringent containment and restrictions so as to control the spread of infection
- Similarly, each district needs to analyze bed occupancy oxygen and ICU beds) vs-a-vis the available health infrastructure to ensure that it doesn't get overwhelmed and seamless patient admission and follow up can be done. Higher bed occupancy is an indicator that the district needs to undertake specific measures to upgrade the available beds while focusing on containment activities equally vigorously. It is important to emphasize that a lead time is required to upgrade health infrastructure (a month or more) and hence districts need to plan such upgrades after having duly analyzed the case trajectory on a regular basis

- In view of the above, for prioritizing districts which need intensive follow up, States may continue to utilize the classification of risk profile of districts as already communicated by Ministry of Health and Family Welfare on 25th April 2021. Accordingly:
 - i) States/UTs may identify districts which require highest level of restrictions
 - ii) Remaining districts may be allowed higher degree of relaxations based on **lower weekly case positivity or a relatively low Bed occupancy (Oxygen and ICU beds) rates.**
 - iii) District with **high weekly case positivity or a high Bed occupancy (Oxygen and ICU beds)** as detailed above, would need intensive monitoring and hence State may consider appointing a senior officer from State headquarter as the Nodal Officer for these districts.
 - iv) **District Nodal Officer** will work in coordination with District Collector /Municipal Commissioner to identify cluster of new cases and ensure implementation of required containment activities including intensive action in areas reporting higher cases
 - v) Restrictions once imposed will remain in force for a minimum period of 14 days
 - vi) In remaining areas of the district not under containment action, clearly defined relaxations/restrictions may be provided.

B. Monitoring mechanism

- State government may consider monitoring the status of classification parameters on a weekly basis and ensure their wide publicity so as to inform community at large and obtain their support in management of Covid-19 while restrictions are imposed or relaxations are allowed.
- While positivity rates and bed occupancy rates are vital criteria that need to be monitored for selection of high focus districts requiring intensive public health action, States/UTs shall also regularly monitor districts with higher numbers of active cases per million population as it is an important indicator to predict need for upgrading health infrastructure and logistics so as to manage the cases.

C. Continued focus on 5-fold strategy for effective management of COVID-19

- COVID-19 is an ongoing challenge and hence it is important that States continue working on five pillars of COVID-19 Management i.e. **“Test-Track-Treat-Vaccinate and adherence to COVID Appropriate Behavior”**.
- Early identification of cases is important for curbing the spread, and for this **adequate testing is crucial**. RT-PCR machines and sufficient kits to ensure required level of testing should accordingly be maintained (both RT-PCR and RAT) in all districts.

: 3 :

- **Tracking and tracing** through active case search by special teams and contact tracing and screening should be undertaken proactively.
 - In addition to **following Clinical Management Protocol**, States should focus on **upgradation of health infrastructure, timely commissioning of PSA Plants in hospitals, adequate planning for availability of medical oxygen, availability of logistics, maintaining buffer stock of drugs** and taking up necessary action for **creation /redesigning of appropriate COVID dedicated healthcare infrastructure**, especially in peri-urban, rural, and tribal areas.
 - There is need for **upskilling/reskilling of human resources** on latest Clinical Management Protocol.
 - Furthermore, **effective planning for vaccination focusing on prompt coverage of priority groups and hubs of economic activity should be prioritized.**
 - COVID-19 management can succeed only through a whole of government & whole of society approach. Community engagement is critical & **adherence to Covid appropriate behavior** is crucial to guard against any surge in infection. This involves diligent use of masks/face covers, following physical distancing (2 gaj ki doori) and practicing respiratory & hand hygiene.
5. This normative advisory will aid the States/UTs to clearly define their policies and streamline their approaches for implementing graded restrictions/calibrated relaxation for management of Covid-19.
6. States/UTs can also plan additional public health measures as deemed necessary, based on their local context and situational analysis at the field level.
7. I am sure under your able leadership; we will be able to keep the momentum going and build on the progress made so far to bring the pandemic situation under control. Ministry of Health & Family Welfare will continue to provide requisite support to the States/UTs in this ongoing and collective effort

Yours sincerely

(Rajesh Bhushan)

Additional Chief Secretary/Principal Secretary/Secretary (Health) of all States/UTs

Copy to : Chief Secretary/Administrator of all States and UTs

(Rajesh Bhushan)

✓ Copy for information to : Cabinet Secretary, Cabinet Secretariat, New Delhi
Home Secretary, Ministry of Home Affairs, New Delhi

(Rajesh Bhushan)