



Government of Odisha
Office of Special Relief Commissioner

No. **3057/R&DM(DM)**, Dt. **01-06-2020**
RDM-RLF-MISC-0034-2020

ORDER

Whereas, in pursuance of the directions issued by the National Executive Committee, Government of India under the Disaster Management Act, 2005, the Government Odisha, vide Revenue & Disaster Management (Disaster Management) Department Notification No.2800/R&DM(DM) dated 18.05.2020, had extended the lock down in the entire State of Odisha with stipulations mentioned therein, with a view to contain the spread of COVID-19 pandemic, till midnight of 31.05.2020;

And Whereas, in pursuance of the directions of the National Disaster Management Authority (NDMA), the National Executive Committee, in exercise of the powers conferred under Section 10(2)(1) of the Disaster Management Act, 2005, has issued revised guidelines vide Ministry of Home Affairs, Government of India order No.40-3/2020-DM-I(A) dated 30.05.2020 to extend the lockdown in Containment Zones up to 30.06.2020, and to re-open prohibited activities in a phased manner in areas outside Containment Zones;

Now, therefore, in pursuance of the said order, the State Government do hereby extend the lockdown in all COVID-19 Containment Zones in the State of Odisha until midnight of 30.06.2020 as per the following stipulations:

1. This order will come into force with effect from 01.6.2020.

2. Lockdown limited to Containment Zones

- i. Lockdown shall continue to remain in force in the Containment Zones till 30th June, 2020.
- ii. Containment Zones will be demarcated by the District Collectors/ Municipal Commissioners as per the guidelines of MoHFW, Government of India/ H&FW Department of Government of Odisha.
- iii. In the Containment Zones, only essential activities shall 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. There shall be intensive contact tracing, house-to-house surveillance, and other clinical interventions, as required. Guidelines of MoHFW shall be taken into consideration for the above purpose.

- iv. District Collectors/ Municipal Commissioners 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 Local authorities.

3. Graded re-opening of areas outside the Containment Zones

In areas outside Containment Zones, activities will be regulated as below:

- a. The following establishments/ activities will continue to remain closed till 30th June, 2020:
 - (i) Religious places/ places of worship for public.
 - (ii) Shopping malls
 - (iii) International air travel of passengers, except as permitted by MHA.
 - (iv) Cinema halls, gymnasiums, swimming pools, entertainment parks, theatres, bars and auditoriums, assembly halls and similar places.
 - (v) Social/ political/ sports/ entertainment/ academic/ cultural/ religious functions and other large congregations.
- b. Hotels will be allowed to operate up to 30% capacity. Restaurant service will be open only for in-house guests.
- c. Restaurants and Hotels are permitted for home delivery/ takeaways of food.
- d. Schools, colleges, other educational/ training/ coaching institutions, etc. will remain closed till 31st July, 2020.

Activities that are not specifically prohibited/ regulated/ restricted above are allowed.

Standard Operating Procedures (SOPs) for the establishments/ activities mentioned above issued by Ministry of Health and Family Welfare (MoHFW) and other Ministries of Government of India/ Department of H&FW, Government of Odisha, for the above activities will be strictly followed for ensuring social distancing and to contain the spread of COVID-19.

4. Directives for COVID-19 Management

The following Directives for COVID-19 Management shall be strictly followed throughout the State:

- a. **Face coverings:** Wearing of face cover is compulsory in public places; in workplaces; and during transport.
- b. **Social distancing:** Individuals must maintain a minimum distance of 6 feet in public places.
- c. Shops will ensure physical distancing among customers. The owner of the shop **shall be liable** for any violation.
- d. **Salons, Spas, Beauty Parlours** and **Barber shops** shall ensure all safety precautions, disinfection and sanitization before and after service of each customer.
- e. **Gatherings:** Public gatherings/ congregations of **more than 7 persons** are prohibited.
- f. **Marriage related gatherings:** Number of guests **not to exceed 50**.
- g. **Funeral/ last rites related gatherings:** Number of persons **not to exceed 20**.
- h. **Spitting in public places** will be punishable with fine, as prescribed in accordance with laws, rules or regulations.
- i. **Consumption of liquor, paan, gutka, tobacco etc.** in public places is prohibited.

Additional directives for Work Places

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

5. Unrestricted movement of persons and goods

- (i) There shall be no restriction on inter-State and intra-State movement of persons and goods. **No permission/ approval/ e-permit will be required for such movements.**
- (ii) Intra-State Buses, City Buses, Taxis (including cabs by aggregators

like Ola, Uber, etc.), Auto Rickshaws and other Passenger Vehicles, are allowed to operate with up to sitting capacity of the vehicle, as mentioned in the Registration Certificate.

- (iii) 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 by Govt. of India.
- (iv) Movement of any type of goods/ cargo for cross land-border trade under Treaties with neighbouring countries shall not be stopped.

6. Night curfew

Movement of individuals shall remain strictly prohibited between 7.00 pm to 5.00 am throughout the State, except for essential activities. The District Collectors/ Police Commissioner, Bhubaneswar-Cuttack shall issue orders, in the entire area of their jurisdiction, under appropriate provisions of law, such as under Section 144 of CrPC, and ensure strict compliance.

This restriction shall not apply to:

- District and Municipal Administration/ Police/ Government Officials on duty
- Doctors, Medical/ Paramedical Staff (Govt. & Private)
- Staff of IT & ITeS Companies on production their ID cards
- Any person, in case of medical or other emergency
- Owner/ staff of Chemist shops
- All industrial units
- All construction activities
- Movement of Public Transport, private vehicles and taxis (including cabs by aggregators like Ola, Uber, etc.) to and from airports, railway station and bus terminals/ stands/ stops, for facilitating movement of passengers by air, rail and road.

7. Weekend Shutdown

In the interest of public health and the containment of spread of COVID-19 in the State, shutdown shall be imposed in the districts of **Ganjam, Puri, Nayagarh, Khurda, Cuttack, Jagatsinghpur, Kendrapara, Jajpur, Bhadrak, Balasore** and **Bolangir**, on all Saturdays and Sundays till 30th June, 2020. During this shutdown, only the following activities shall be allowed:

- All medical establishments including hospitals, clinics, nursing homes,

including medicine stores. Movement of Ambulance and all medical personnel.

- District and Municipal Administration/ Police/ Fire Services
- Central & State Government officials on emergency duty
- Telecom services
- Petrol pumps
- Electronic Media identified by Commissionerate/ District Police
- Water Supply, sanitation and sewerage workers
- Electricity supply and distribution
- Movement of goods and good carriers, whether loaded or unloaded
- Industrial establishments, factories and construction activities
- Service sector industries, including IT/ ITeS, Hotel & Hospitality units
- Movement of rail and air transport
- Road transport on highways, road movement of transiting vehicles
- Movement of Public Transport, private vehicles and taxis (including cabs by aggregators like Ola, Uber, etc.) to and from airports, railway station and bus terminals/ stands/ stops, for facilitating movement of passengers by air, rail and road.
- Marriages and Funerals, with permission of local authority

8. Based on their assessment of the situation, District Collectors/ Municipal Commissioners may impose area specific additional restrictions on activities outside the Containment zones, or impose such restrictions as deemed necessary for containing the spread of COVID-19.

9. Quarantine Policy

The quarantine period for returnee(s) to the State will be limited to 14 days. This shall be implemented by local authorities i.e., District Collectors/ Municipal Commissioners.

Returnee(s) in rural areas will undergo 7 days of mandatory institutional quarantine, post which asymptomatic returnee(s) shall be discharged to undergo home quarantine for a further period of 7 days. If the local authorities find it necessary for reasons related to containment of COVID-19 and to prevent spread of infection, they may extend the period of institutional quarantine of the returnee(s). In case the quarantine develops symptoms requiring medical attention, he/ she may be shifted to COVID Care Centre/ COVID Hospital.

In urban areas, the returnee(s) shall have to compulsorily stay in home quarantine for a period of 14 days, observing guidelines issued by H&FW Dept., Govt. of Odisha. If the returnee does not have proper quarantine facility at home, he/ she shall undergo institutional/ paid quarantine for a duration as

directed by the local authorities.

Individuals travelling to the State by regular train and air services will have to undergo mandatory quarantine, as prescribed above.

The following categories of travelers shall be exempt from mandatory quarantine in the State, upon arrival in Odisha:

- a. Govt. officials, Professionals, businessmen or any other person travelling to Odisha on work and intending to exit the State by rail, road or air within 72 hrs
- b. Govt. officials, Professionals, businessmen or any other person who have travelled from Odisha on work and are returning to the State within 72 hrs of departure from Odisha

10.Safety and Protection of vulnerable persons

Outdoor movement of the following category of people is prohibited, except for essential and health purposes till 31st August, 2020.

- a. Persons above 65 years of age
- b. persons with co-morbidities
- c. pregnant women
- d. children below the age of 10 years

11.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.
- (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.

12.Strict enforcement of the guidelines


- (i) These guidelines issued under the Disaster Management Act, 2005, shall not be diluted in any manner.
- (ii) All the District Magistrates/ Municipal Commissioners/ Commissioner of Police, Bhubaneswar-Cuttack shall strictly enforce the above measures.

13.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 I**.

By order of the Governor


1/06/2020

Chief Secretary, Odisha

Memo No. 3058/R&DM(DM) Date: 01.06.2020

Copy forwarded to the Private Secretary to Hon'ble Chief Minister/ Private Secretary to all Ministers/ Chief Secretary/ Development Commissioner/ Agriculture Production Commissioner for kind information.


1.06.2020

Special Relief Commissioner &
Additional Chief Secretary to Govt.
(Disaster Management)

Memo No. 3059/R&DM(DM) Date: 01.06.2020

Copy forwarded to the Addl. Chief Secretary/ Principal Secretary/ Commissioner-cum-Secretary of all Departments/ Director General of Police/ Director General of Police Fire Services/Police Commissioner, Bhubaneswar-Cuttack/ All RDCs/ All Collectors/ Superintendents of Police/ All Municipal Commissioners for kind information and immediate necessary action.


1.06.2020

Special Relief Commissioner &
Additional Chief Secretary to Govt.
(Disaster Management)

Memo No. 3060/R&DM(DM) Date: 01.06.2020

Copy forwarded to the Joint Secretary (Disaster Management), Ministry of Home Affairs (Disaster Management Division), Government of India for kind information.


1.06.2020

Special Relief Commissioner &
Additional Chief Secretary to Govt.
(Disaster Management)

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.