



सत्यमेव जयते

The Mizoram Gazette

EXTRA ORDINARY

Published by Authority

RNI No. 27009/1973

Postal Regn. No. NE-313(MZ) 2006-2008

VOL - XLIX Aizawl, Sunday 3.05.2020 Vaisakha 13, S.E. 1942, Issue No. 247

NOTIFICATION

No.H.12018/255/2020-LJD, the 3rd May, 2020: The following Ordinance is hereby published for general information.

**“The Mizoram (Containment and Prevention of Covid-19) Ordinance, 2020
(No.1 of 2020).”**

Marli Vankung,
Secretary to the Govt. of Mizoram,
Law & Judicial Department.

THE MIZORAM (CONTAINMENT AND PREVENTION OF COVID-19) ORDINANCE, 2020

AN ORDINANCE

to contain and prevent the spread of Covid-19 in the State of Mizoram and matters connected therewith and incidental thereto.

WHEREAS the Legislative Assembly of Mizoram is not in session, and the Governor of Mizoram is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution, the Governor of Mizoram is pleased to promulgate the following Ordinance, namely:-

CHAPTER –I PRELIMINARY

1. Short title and Commencement.—

- 1) This Ordinance may be called the Mizoram (Containment and Prevention of Covid-19) Ordinance, 2020.
- 2) It shall extend to the whole of Mizoram.
- 3) It shall come into force at once.

2. Definitions.—

- 1) In this Ordinance unless the context otherwise requires,-
 - a) **‘authorized persons’** means persons authorized under section 3 of this Ordinance.
 - b) **‘competent authority’** means any authority or person(s) authorized by the State/Central Government from time to time for the purpose of containment and prevention of COVID-19.
 - c) **‘Government’** means the Government of Mizoram.
 - d) **‘mask’** includes a covering made of any material in any form which is used to cover the nose and mouth sufficient/adequate enough to prevent the transmission and spread of COVID-19.
 - e) **‘public place’** means any place to which the public have access, whether as of right or not, and includes hospital and all health centres, amusement centres, parks, playgrounds, hotels and restaurants, public offices, work places, educational institutions, libraries, public transport vehicles including its stands and stations, railway station, airport, public road, stadium, auditorium, community hall/centres, commercial establishments, gyms, market place/area, shopping malls, public/local wholesale and retail shops, petrol pumps, religious institutions and the like which are visited by the general public.
 - f) **‘regulations’** means The Mizoram Epidemic Diseases (COVID-19) Regulations, 2020 as amended from time to time.
 - g) **‘social distancing’** means the practice of maintaining a physical distance by at least 6 (six) feet from other person so as to avoid direct contact with other persons in public places and any other private/public/social gathering for prevention of transmission and spread of COVID -19.
 - h) **‘spitting’** means the act of ejecting saliva, sputum or any other liquid or solid substances which includes kuhva, gutkha, pan masala, zarda, tuibur or any other tobacco product in any form from one’s mouth and/or nose.
 - i) **‘State’** means the State of Mizoram.

- 2) The words and expression used herein and not defined but defined in the Mizoram Epidemic Diseases (COVID-19) Regulations, 2020 shall have the same meanings respectively assigned to them in the said regulations.

3. Authorised persons

to impose & collect fines.— Authorised persons to impose and collect spot fines for violation of this Ordinance, regulations, guidelines or any other instructions issued by the Government with regard to containment and prevention of the spread of Covid-19 shall be as follows:-

- 1) any Executive Magistrate.
- 2) any Law Enforcing Officer authorised by the Government.
- 3) any police officer not below the rank of Constable.
- 4) Chairman/ Vice-Chairman/Member Secretary of State Level Task Force on COVID-19.
- 5) Chairman/Vice-Chairman/Member Secretary of District Level Task Force on COVID-19.
- 6) Chairman/Vice-Chairman/Member Secretary of Village/Local Level Task Force on COVID-19.

CHAPTER – II

OFFENCES AND PENALTIES

4. Offences.—

The following acts or omissions shall be considered to be offences under this Ordinance:-

- 1) entering or staying at any public place without the use of mask;
- 2) failing to maintain social distancing protocol/ guidelines in public places;
- 3) spitting in public places;
- 4) organising any social or religious event without prior permission from the competent authority;
- 5) crossing borders by exiting and/or entering the State without permission from the competent authority;
- 6) avoiding or attempting to evade quarantine and/or isolation at designated quarantine facility as per regulations/guidelines/instructions in force from time to time;
- 7) leaving or escaping the designated quarantine/ isolation facility before completion of the stipulated time;

- 8) failing to follow instructions/guidelines and endangering the safety of others while staying at designated quarantine facility;
- 9) failing to comply with any other regulations guidelines or instructions made by the Central or State Government for containment and prevention of the spread of Covid-19 including lockdown guidelines issued by the State Government from time to time;
- 10) (a) exposure/display of the identity of Covid-19 positive patient and suspected persons by sharing their bio-data and/or photo in print, electronic and social media without prior permission from the competent authority.
(b) for the purposes of sub-section (10), the offence shall be non-cognizable, non-compoundable and bailable, triable by any Judicial Magistrate.

5. Penalties.—

Whoever contravenes the provisions of section 4 of this Ordinance shall be punished as follows:-

- 1) for contravening sub-section (1) with fine amounting to Rs.100/-.
- 2) for contravening sub-section (2) with fine amounting to Rs.200/-.
- 3) for contravening sub-section (3) with fine amounting to Rs.300/-.
- 4) for contravening sub-section (4) with fine amounting to Rs.5000/-.
- 5) for contravening sub-section (5) with fine amounting to Rs.5000/-.
- 6) for contravening sub-section (6) with fine amounting to Rs.3000/-.
- 7) for contravention of sub-section (7) with fine of not less than Rs.1000/- which can be extended upto Rs.5000/-.
- 8) for contravening sub-section (8) with fine amounting to Rs.500/-.
- 9) for contravening sub-section (9) with fine amounting to Rs.1000/-.
- 10) for contravening sub-section (10) with simple imprisonment for a term which may extend to 3 months or with fine which may extend to Rs.5000/- or with both.

**CHAPTER – III
MISCELLANEOUS**

- 6. Records of fines imposed.—** The persons authorised to impose and collect fines under this Ordinance shall maintain proper records of all fines imposed in a separate register and such record shall include all the details specified in the receipt/challan in triplicate as provided in the Annexure.
- 7. Detention of offenders.—** (1) Whoever fails or refuses to pay the stipulated fines or refuses to provide the information required under section 6 shall be detained on the spot until payment of such fine and/or furnishing such required information, security or surety.
(2) In default of payment of the fines, security/surety within 24 hours, the offender shall be imprisoned for a term which may extend to 4 months.
(3) For the purposes of this section, the offence shall be non-cognizable, non-compoundable and bailable, triable by any Judicial Magistrate.
- 8. Depositing of fines.—** The authorised persons shall submit the fines collected under section 5 to the Deputy Commissioner of the district concerned along with all the records maintained under section 6 on the last working day of every month. The Deputy Commissioner shall cause the fines so collected to be deposited in the State Treasury.
- 9. Ordinance not in derogation of any other law.—** The provisions of this Ordinance shall be in addition to and not in derogation of the provisions of any other law for the time being in force.
- 10. Protection of action taken in good faith.—** No suit, prosecution or other legal proceeding shall lie against any person authorised under this Ordinance for anything which is done or intended to be done in good faith under this Ordinance.
- 11. Power to remove difficulties.—** (1) If any difficulty arises in giving effect to the provisions of this Ordinance, the Government may, by order published in the Official Gazette, make provisions not inconsistent with

the provisions of this Ordinance which appear to it to be necessary or expedient, for removing the difficulty.

- (2) Every order made under this section shall, as soon as may be after it is made, be laid before the Legislative Assembly

12. Power to make rules.—

- (1) The Government may, by notification in the Official Gazette, make rules either prospectively or retrospectively for the purpose of carrying into effect the provisions of this Ordinance.

- (2) Every rules made under this Ordinance shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session and/or if the Legislative Assembly makes any modification in the rule or decides that the rules should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rules.

ANNEXURE

Government of Mizoram RECEIPT/CHALLAN	
Book No _____	Receipt No. _____
Received _____ (Rupees _____)	
from Mr/Mrs/Miss _____	
S/o/D/o _____	
R/o _____	
on account of contravention of sub-section _____ of section 4 of the Mizoram (Containment and Prevention of Covid-19) Ordinance, 2020 at _____ _____ on Dt. _____	
Offender Signature	Authorized person Signature
Name: _____	Name: _____
	Designation: _____
Add: _____	Add: _____
Ph No: _____	Ph No: _____