

प्रेषक,

मुख्य सचिव
उत्तराखण्ड शासन
एवं मुख्य कार्यकारी अधिकारी,
उत्तराखण्ड राज्य आपदा प्रबन्धन प्राधिकरण।

सेवा में,

1. समस्त अपर मुख्य सचिव/ प्रमुख सचिव उत्तराखण्ड शासन।
2. पुलिस महानिदेशक, उत्तराखण्ड।
3. सचिव/प्रभारी सचिव, उत्तराखण्ड शासन।
4. आयुक्त कुमायूँ एवं गढ़वाल मण्डल।
5. समस्त जिलाधिकारी, उत्तराखण्ड।

यू.एस.डी.एम.ए.

देहरादून: दिनांक 1st अक्टूबर, 2020

विषय: कोविड-19 के संक्रमण के नियंत्रण हेतु क्रियान्वित तालाबन्दी की क्रमवार समाप्ति (Unlock-5) के सम्बन्ध में।

महोदय/महोदया,

उपरोक्त विषयक अवगत करवाना है कि तालाबन्दी (Lockdown) की क्रमवार समाप्ति (Unlock-4) हेतु राज्य सरकार द्वारा निर्गत पत्र संख्या—

1. 635 /USDMA/792/(2020), दिनांक 22 सितंबर, 2020.
2. 625 /USDMA/792/(2020), दिनांक 19 सितंबर, 2020.
3. 575 /USDMA/792/(2020), दिनांक 01 सितंबर, 2020.

को भारत सरकार के आदेश संख्या—40-30/2020-DM-I (A) दिनांक 30 सितंबर, 2020 (Unlock-5) के प्रावधानों को समावेशित करते हुए निम्नवत निर्देश पारित किये जाते हैं: —

1. Activities permitted outside the containment Zones

In areas outside the containment zones, all activities will be permitted, except the following:

- 1.1.** Decision in respect of re-opening of schools after 15th October, 2020 in a graded manner shall be taken by the Department of Education, Government of Uttarakhand. The decision shall be taken in consultation with the respective schools/ institution managements, based on their assessment of the situation, and subject to the following conditions;
 - a) Online/ distance learning shall continue to be preferred mode of teaching and shall be encouraged.

- b) Where schools are conducting online classes and some students preferred to attend online classes rather than physically attend school, they may be permitted to do so.
- c) Students may attend schools / institutions only with the written consent of parents.
- d) Attendance must not be enforced and must depend entirely on parental consent.
- e) The Department of Education will prepare their own standard Operating Procedures regarding health and safety precautions for re-opening of schools/ institutions based on the SOPs issued by Department of School Education and Literacy (DOSEL), Ministry of Education, Government of India, keeping local requirements in view.
- f) Schools, which are allowed to open, will have to mandatorily follow the SOPs to be issued by the Education Department of the Government of Uttarakhand prepared as above.

1.2. Decision in respect of re-opening of coaching institutions (academic and professional) after 15th October 2020 in a graded manner shall be taken by the respective District Magistrates. The decision shall be taken in consultation with the respective coaching institution managements, based on their assessment of the situation, and subject to the following the norms of safety and social distancing time to time issued by MoHFW and MHA, GoI. Online/ distance learning shall continue to be the preferred mode of coaching and shall be encouraged.

1.3. Regarding Para 1 (ii) of the letter No. 40-3/2020-DM-I(A) issued by MHA, GoI dated 30th September, 2020, the decision shall be taken by the Department of Higher Education and Department of Technical Education, Government of Uttarakhand, once the timing of re-opening of college/ higher education institutions is announced by Department of Higher Education, Ministry of Education in consultation with MHA GoI. Online/ distance learning shall continue to be the preferred mode of teaching and shall be encouraged.

1.3.1. However, higher education institutions only for research scholars (Ph.D) and post graduate students in science and technology streams requiring Laboratory experimental works will be permitted to open from 15th October, 2020, as under;

- a) For Centrally funded higher education institutions, the head of institutions will satisfy herself/ himself that there is a genuine

requirement of research scholars (Ph.D) and post graduate students in science and technology stream for laboratory/ Experimental work.

- b) For all other higher education institutions example, state universities, private universities etc., they may open only for research scholars (Ph.D) and post graduate students in Science and Technology stream requiring laboratory/ experimental works as per decision to be taken by the Department of Higher Education, Government of Uttarakhand.
- 1.4. Swimming pools being used for training of sports persons will be permitted to open with effect from 15th October, 2020, for which the SOPs issued by Ministry of Youth Affairs and sports (MoYAS) shall be strictly adhered to.
- 1.5. Cinemas/ Theatres/ Multiplexes will be permitted to open with up to 50% of their seating capacity in areas outside the containment zones only with effect from 15th October, 2020, for which SOPs issued by Ministry of Information & Broadcasting shall be strictly adhered to.
- 1.6. Entertainment parks and similar places will be permitted to open with effect from 15th October 2020, for which the SOPs issued by Ministry of Health and Family Welfare (MoHFW) shall be strictly adhered to.
- 1.7. Business to business (B to B) will be permitted to open, in areas outside the containment zones only and permitted to open with effect from 15th October 2020, for which the SOPs issued by the Department of Commerce shall be strictly adhered to.
- 1.8. Social/ academic / sports/ entertainment / cultural/ religious/ political functions and other congregations have already been permitted with a ceiling of 100 persons, outside containment zones only. Such gatherings beyond the limit of 100 persons may be permitted, outside containment zones by the District Administrations only after 15th October, 2020, and subject to the following conditions;
- a) In close spaces a maximum of 50% of the hall capacity will be allowed with ceiling of 200 persons. Wearing of face masks, maintaining social distancing, provision for thermal scanning and use of hand wash or sanitizer will be mandatory.
- b) In open spaces keeping the size of the ground/ space in view and with strict observance of social distancing, mandatory wearing of face masks, provision for thermal scanning and hand wash or sanitizer. The Department of Home will issue SOPs to regulate such gatherings and strictly enforce the same.
2. **Indian Nationals / Tourists travelling from various countries** : All asymptomatic inbound persons travelling from other countries to Uttarakhand

shall mandatorily register themselves on the web portal <http://smartcitydehradun.uk.gov.in>, prior to their journey and follow the SOPs issued by MHA from time to time.

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 state.
4. **Lockdown limited to Containment Zones**
 - a) Lockdown shall remain in force in the Containment Zones till 31st October, 2020.
 - b) Containment Zones shall be demarcated by the District authorities at micro level after taking into consideration the guidelines of MoHFW with the objective of effectively breaking the chain of transmission. Strict containment measures will be enforced in these containment zones and 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.
 - c) Containment Zones will be notified on the website by the respective District Administration and by the Department of Health & Family Welfare and same will be shared with MoHFW.
5. **District Administration shall not impose any local lockdown (District/ sub-division/City level), outside the containment zones, without prior consultation with the state Government.**
6. **Movement of persons with SOP:** Movement by passenger trains; domestic passenger air travel; movement of persons on Vande Bharat and Air Transport Bubble flights will continue to be regulated as per SOPs issued by the central government.
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. **ArogyaSetu App:** All inbound persons from other states, irrespective of the mode of travel, shall mandatorily download and update the ArogyaSetu mobile application.
9. **Inter-district movement of persons within Uttarakhand:** No permit/permission shall be required for inter-district movement of persons

within the state. However, all such persons shall mandatorily register themselves on the web portal <http://smartcitydehradun.uk.gov.in>, prior to their movement.

9.1. All such persons, irrespective of the mode of travel, shall be exempted from being quarantined.

10. Inter - State Movement of Persons (Registration)

10.1. Registration

- a) Registration is MANDATORY for all inbound persons, on the Smart City web portal <http://smartcitydehradun.uk.gov.in> prior to their travel.
- b) During registration, relevant documents as sought in the registration portal shall be uploaded.
- c) The District Administration shall make arrangement for thermal screening of all inbound person at border check posts, Airport, railway stations and border district's Bus stands. If the person is found symptomatic then antigen test shall be conducted by the district administration. If the antigen test comes positive then appropriate SOP shall be followed. At all-times in public premises, every person will follow norms of social distancing and wearing of masks.

10.2. Quarantine

- a) All inbound asymptomatic persons, if coming for a specific purpose (Business, Exams, Industry, Work, personal distress etc.) for a duration of less than 07 days then they can attend to their purpose of visit but should continuously monitor their health and if they develop symptoms then they shall contact the local health authority. They shall adhere to the norms of safety and social distancing as per guidelines of MoHFW. They will mandatorily give their home/stay address in registration and the District Authorities shall randomly check upon such individuals. If the addresses are found incorrect, then proceeding under DM Act will be initiated against such person.
 - a.1) If they are coming for longer duration then they will be placed in Home Quarantine or establishment quarantine (in case of Army and paramilitary forces, etc.) for 10 days and self-monitor their health. If they develop symptoms then they shall contact the local health authority. They shall adhere to the norms of safety and social distancing as per guidelines of MoHFW. They will mandatorily give their home/stay address in registration and the District Authorities shall randomly check upon such individuals. If the addresses are found incorrect, then proceeding under DM Act will be initiated against such person.

- b) In cases of inter-state movement for official purposes, Ministers of Government of India, Ministers of State Government, Chief Justice and other Judges of Supreme Court and High Courts, other Judicial officers of district and subordinate judiciary of the state, Advocate General, Chief Standing Counsel and other Government Advocates in the High Court of Uttarakhand, MPs and MLAs of Uttarakhand, all officers of Govt. State Government, PSUs, Central Government/State Government organisations, along with their support staff shall be exempted from being quarantined. However, such individuals shall ensure compliance of all norms of safety and social distancing, as per guidelines of MoHFW and MHA.
 - b.1) Officials of Uttarakhand on return to the state after a duration of more than 05 days, they shall get their Covid test conducted which is to be ensured by their respective institutions/ departments.
- c) All asymptomatic persons who are travelling outside the state from Uttarakhand for a maximum duration of 05 days, shall on return, be exempted from being quarantined. However, in cases of outbound travel for more than 05 days, such persons shall have to undergo home quarantine of 10 days and shall also monitor her/ his health condition closely.
- d) All asymptomatic inbound persons shall be exempted from Home quarantine, if they have undergone RT-PCR/ TrueNAT/ CBNAAT/ Antigen test with negative report on return or not earlier than **96 hours** before the arrival to Uttarakhand border.
- e) The State Control Room (Covid 19) will keep track on all incoming persons. It will also check the various documents being uploaded by inbound persons. It will continuously ascertain the status of Home Quarantine, Home Isolation of all inbound people and report to the respective District Authorities, if any discrepancy is found.

11. Tourist

- a) For the tourist coming to Uttarakhand by all modes of transportation, a registration is **MANDATORY** on the Smart City web portal <http://smartcitydehradun.uk.gov.in> prior to their travel.
- b) Requirement of mandatory stay of minimum days in hotel/ homestay will not be applicable anymore.
- c) It is not mandatory for the tourist to bring Covid-negative test report before check-in hotel/homestay. However, checks like thermal scanning, sanitization and other prescribed health protocols for hotels and restaurants must be complied with. If so required, the hotel management may frame their own procedure for tourists coming to their hotel.

d) If any tourist is found Covid positive then the hotel management shall intimate the District Administration immediately. District Administration shall make an arrangement for random checks to ensure that compliance of MHA and MoHFW, GoI guidelines by the Hotel Management/Homestay owners.

12. University/ National Defence Academy/ Naval Academy / JEE/ NEET and other examinations

12.1. All inbound students, teachers, parents and their associates coming to various designated centres (designated by state and central government) to attend various entrance tests/ examinations/ interviews from other states as well as travelling from district to district in Uttarakhand, irrespective of the mode of travel, shall mandatorily register themselves on the Smart City web portal <http://smartcitydehradun.uk.gov.in>, prior to their travel and shall be exempted from quarantined. No permit/ permission/ e-pass and Covid-19 test (RT-PCR/ TrueNAT/ CBNAAT) shall be required for such movement. The registration documents shall necessarily be verified at the border check posts.

12.2. The district administration shall open public transportation and ensure that students, teachers, parents and their associates going to various examination centres as designated by the state and central government in Uttarakhand are availing uninterrupted services of public transportation.

13. Parks shall be opened for walk/ jog and other activities not exceeding 100 persons for all asymptomatic persons till 15th October, 2020 and such activity beyond the limit of 100 persons may be permitted outside of the containment zones by the district Administration subject to adhering to the norms of safety and social distancing issued by MoHFW and MHA after 15th October, 2020..

13.1. However, all such activities in containment zones of the state shall remain closed, till further orders.

14. Strict enforcement and Penal provision:

14.1. The district shall not dilute these guidelines issued under Disaster Management Act, 2005, in any manner.

14.2. For the enforcement of social distancing, District Administration may, as far as possible, use the provision of section 144 of the CrPC of 1973.

14.3. All district magistrates shall strictly enforce the above measures.

14.4. All inbound people, tourists, business establishments and residents of Uttarakhand shall strictly adhere to the norms of safety and social distancing as per guidelines of MHA, MoHFW and State Government. Violating the

compliance shall be liable to be proceeded against as per the provisions of Section 51 to 60 of the DM Act, 2005, Epidemics diseases Act, 1897 and relevant sections of the IPC. Extracts of these penal provisions are enclosed at **Annexure - II**.

15. The guidelines shall come in to force from 01st October, 2020.

अतः सभी उपरोक्त निर्देशों के साथ-साथ गृहमंत्रालय, भारत सरकार के आदेश संख्या : 40-3/2020-DM-I (A), दिनांक 30 सितम्बर, 2020 द्वारा निर्गत दिशा-निर्देशों का कड़ाई से अनुपालन करवाया जाना सुनिश्चित करेंगे।

उक्त आदेश अग्रिम आदेशों तक प्रभावी रहेगा।

संलग्नक-उपरोक्तानुसार

भवदीय,

(ओम प्रकाश)

मुख्य सचिव/मुख्य कार्यकारी अधिकारी

संख्या एवं दिनांक उपरोक्तानुसार।

निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित -

1. सचिव, श्रीराज्यपाल, उत्तराखण्ड।
2. सचिव, मा. मुख्यमंत्री जी, उत्तराखण्ड।
3. सचिव, विधानसभा, उत्तराखण्ड।
4. महाधिवक्ता, मा0 उच्च न्यायालय, नैनीताल।
5. सचिव, गोपन (मंत्रिपरिषद), विभाग, उत्तराखण्ड शासन।
6. समस्त निजी सचिव, मा. मंत्रीगण को मा. मंत्रीगणों के संज्ञानार्थ प्रेषित।
7. स्टॉफ आफिसर, मुख्य सचिव, उत्तराखण्ड शासन।
8. सम्बन्धित पत्रावली।

आज्ञा से,

(ए० ए० मुरुगेशन)
सचिव (प्रभारी)

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. **Spitting in public places** will be punishable with fine, as may be prescribed by the State/ UT local authority in accordance with its laws, rules or regulations.

Additional directives for Work Places

4. **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, adequate gaps between shifts, staggering the lunch breaks of staff, etc.


30/09/2020

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 tends to cause danger to human life, health or safety, or causes or tends to cause a riot or affray, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Explanation.—It is not necessary that the offender should intend to produce harm, or contemplate his disobedience as likely to produce harm. It is sufficient that he knows of the order which he disobeys, and that his disobedience produces, or is likely to produce, harm.

Illustration

An order is promulgated by a public servant lawfully empowered to promulgate such order, directing that a religious procession shall not pass down a certain street. A knowingly disobeys the order, and thereby causes danger of riot. A has committed the offence defined in this section.