

Government of Haryana
Haryana State Disaster Management Authority

No. DMC-SPO-2020/18314

Dated: 24.04.2021

The Government of Haryana has considered it necessary to take effective measures to prevent its spread in the State of Haryana. Accordingly, following additional guidelines are hereby issued for containment of COVID-19 Epidemic in the State with immediate effect:-

1. Guidelines for most affected districts namely Gurugram, Faridabad, Sonipat, Hisar, Karnal and Panchkula.

- i. Deputy Commissioners of districts namely Gurugram, Faridabad, Sonipat, Hisar, Karnal and Panchkula shall consider to impose prohibitory orders under Section 144 of CRPC prohibiting the gatherings of more than four people, unless specifically permitted.
- ii. All IT/ITES units and Corporate offices in these six districts shall operate their offices through work from home upto 3 May, 2021 at 9:00 AM. For Government Offices, directions released by O/o Chief Secretary, Haryana dated 16.04.2021 (Annexure 'A') shall be strictly followed.
- iii. Order dated 23.04.2021 (Annexure 'B') regarding closing of shops after 06:00 PM shall be continued.

2. Social/ academic/sports/ entertainment /cultural/ religious/ political functions and other congregation

In supersession of Section 5 of Government's earlier order no. DMC-SPO-2020/4584 dated 16.04.2021, Social/academic/sports/entertainment/ cultural/religious/political functions and other congregations in the State will be allowed in areas outside the Containment zones only with strict adherence to the appropriate COVID-19 behaviour such as social distancing norms, wearing of face masks, sanitisation, hand hygiene and provision for thermal scanning, etc., as follows:-

- i. In indoor spaces, a maximum of 50% of the hall capacity will be allowed with a ceiling of 30 persons. This would also include all Cinemas/Theaters/Multiplexes/Bars/Hotels/Clubs/Gyms. The capacity of indoor places will be specified by the Urban Local Bodies/Department concerned keeping in mind a calculated correlation between the number of chairs/seating or standing capacity and the covered area in sq. yards/sq. feet.
- ii. In open spaces, gatherings will be allowed with the ceiling of 50 persons.
- iii. For Funerals and cremations, participation will be limited to a maximum of 20 persons.

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It is further directed that the organisers of social/ academic/ sports/ entertainment/ cultural/ religious/ political functions and other congregation gatherings shall take prior permission of District Magistrates. The District Magistrates or offices authorized by them will issue permissions after obtaining necessary NOCs from the Departments concerned including Police.

The public should be advised to conduct marriages and other functions during day time only so as to avoid rush/traffic inconvenience at the time of commencement of 'Corona Curfew'.

3. Deputy Commissioners will notify macro containment zones in areas where concentration of COVID positive people is discovered and may impose lockdown orders for a defined period in these macro containment zones.
4. **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 Sec. 188 of the IPC and other legal provisions as applicable. Extracts of these penal provisions are at Annexure 'C'.

C/O/a/o
24/04/21

(VIJAI VARDHAN), IAS
Chief Secretary-cum-Chairperson
Haryana State Executive Committee

To

1. All Administrative Secretaries in the State of Haryana;
2. The Director General of Police;
3. All Deputy Commissioners in the State of Haryana.

Note: - HSDMA orders can be seen at our website <https://revenueharyana.gov.in/>. Any message not on the website may be treated as fake.

No. 62/19/2020-6GS-I

From

Chief Secretary to Government Haryana.

To

1. All the Administrative Secretaries to Government Haryana.
2. All the Heads of Departments and Commissioners of all Divisions in Haryana.
3. All the Deputy Commissioners of the State of Haryana.
4. All the Managing Directors/Chief Administrators of Boards/Corporations in Haryana.
5. The Registrars of all the Universities in Haryana.

Dated Chandigarh, the 16th April, 2021**Subject: Preventive measures to contain the spread of COVID-19-reg.**

Sir/Madam,

I am directed to refer to this department letter of even number dated 15.09.2020 on the subject noted above. It is observed that large number of corona positive cases have been reported in the State in recent time. In view of health and safety of employees, it has been felt necessary to issue following directions to be implemented by all the Government offices/departments etc.

- (i) *Officers of the level of Under Secretary or equivalent and below be allowed to work from home also and their physical attendance in office be restricted to 50% of the actual overall strength. Rosters for their attendance to be prepared by concerned Divisional/ Wing Heads. Individual Wing Heads can, however, call for more than 50% physical attendance of any of the categories in their wings, if required on administrative grounds.*
- (ii) *All officers of the level of Deputy Secretary, equivalent and above are to attend office on regular basis.*
- (iii) *All officers who attend office can stagger timings (with entry into the office spread between 9:00 AM– 10:00 AM with corresponding office exit timings). This will also avoid rush in commuting, as also in lifts & corridors.*
- (iv) *All officials who do not attend office on a particular day are to make themselves available on Telephone and other electronic means of communication at all times from their residence and work from home.*
- (v) *All officials residing in containment zones shall continue to be exempted from coming to office till the containment zone is de-notified.*
- (vi) *All officials who attend office shall strictly follow Covid appropriate behaviour including wearing of mask, physical distancing, use of sanitizer and frequent hand washing with soap and water.*

- (vii) *Crowding in lifts, staircases, corridors, common areas including refreshment kiosk and parking areas is to be strictly avoided.*
- (viii) *Meetings, as far as possible, to be possible, to be conducted through video-conferencing.*
- (ix) *Entry of outsiders / visitors to be curtailed appropriately.*
- (x) *All employees of the age of 45 years and above are advised to get themselves vaccinated.*

2. These instructions may be brought to the notice of all concerned for strict compliance.

Yours faithfully,

Rajkumar
Under Secretary, General Administration,
for Chief Secretary to Government Haryana 

**GOVERNMENT OF HARYANA
HARYANA STATE DISASTER MANAGEMENT AUTHORITY**

No.DMC-SPO-2020/4863

Dated : 23.04.2021

ORDER

Whereas, the prevailing COVID-19 pandemic is posing a threat to public health, the Government of Haryana has taken necessary steps to prevent its spread in the State of Haryana.

Whereas, in exercise of the powers under the Disaster Management Act, 2005, the undersigned in my capacity as Chairperson, State Executive Committee hereby authorises the Deputy Commissioners in the State to take necessary decision regarding closing of shops in such crowded areas of their districts as they deem fit after 6.00 p.m. and opening of restaurants / eating places only for home delivery with immediate effect.

Deputy Commissioners are also advised to ensure that sufficient numbers of drug / pharmaceutical shops and Grocery stores may be allowed to remain open after 6.00 p.m. in the crowded markets, as is considered necessary, so as to avoid any inconvenience to citizens.

(VIJAI VARDHAN) IAS
Chief Secretary-cum-Chairperson
Haryana State Executive Committee

To

1. All Administrative Secretaries in the State of Haryana;
2. All Deputy Commissioners in the State of Haryana

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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.
