



**OFFICE OF CHAIRMAN (DDMA)/DISTRICT MAGISTRATE
DISTT. SOUTH-WEST
DISTRICT DISASTER MANAGEMENT AUTHORITY
GOVT. OF NCT OF DELHI
OLD TERMINAL TAX BUILDING, KAPASHERA, NEW DELHI-110037
TEL.: 011-25069484, E-Mail: dcsw@nic.in**

No.: SDM/KH/DDMA/SW/2020/114

Dated: 04/05/2020

ORDER

Whereas, World Health Organization (WHO) had declared the outbreak of Novel Corona Virus (Covid-19) as a Pandemic on 11/03/2020 and Govt. of NCT of Delhi vide Notification No. F.51/DGHS/PH-IV/COVID-19/202-215 dated 12/03/2020 has notified "The Delhi Epidemic Diseases, COVID-19, Regulations, 2020".

And whereas, the Hon'ble PM of India on 24/03/2020 had announced the Lockdown in the whole country till 03/05/2020 and the same has been further extended for two more weeks by the GOI as well as GNCTD with comprehensive and clear-cut guidelines and directions for strict implementation and compliance by all.

And whereas, new guidelines on lockdown measures have also been issued by the MHA as well as by the chairperson of Delhi Disaster Management Authority for strict compliance of the same.

Further, the following guidelines related to the industries which have been allowed to operate as well as for the construction activities during lockdown period under the jurisdiction of District South-West, as per the guidelines issued by the MHA, are also being issued for strict compliance:-

The following directives are put in place to the industries (including entities engaged in construction work) and all the industries have to adopt and follow the same in letter and spirit.

- I. The construction activities will be allowed to operate where workers are available on site & no workers are required to be brought in from outside (in Situ construction).
- II. The employer will ensure mandatory thermal scanning of everyone entering and exiting a construction site will be done for checking fever/ body temp. If anyone leaves and re-enters the site during the shift, re-screening of the individual will be done prior to re-entry into site.
- III. All construction workers and site engineering staff will be required to wash & sanitize his/her hands before entering the site. Same procedure to be followed after exiting the premise. Sufficient quantities of handwash/ soaps and related items have to be available at the site. Further, entire construction site will be disinfected on daily basis (including site office, labour camp, canteens, pathways, toilets, entry / exit gates). housekeeping team should be provided with necessary equipment.
- IV. Hand gloves have to be used by the workers who are handling material coming from outside. Re-usable equipments have to be thoroughly cleaned and have not to be shared with others. Workers have not to be shake hands when greetings others and while working on the site.
- V. There will be strict ban on gutka, tambaku, paan etc. on site and spitting in common area shall be strictly prohibited and may attract with heavy fines. Food should be consumed at designated areas only ensuring social distancing. Common sitting arrangements have to be removed. Further, bathrooms & toilets usage must be scheduled to avoid crowding and all arrangements have to be made to ensure social distancing at these spots.
- VI. The workers have not to be share their belongings like food, water bottles, utensils, mobile phones etc. with others. The workers have to clean hands frequently by washing them with soap and water for at least 20 seconds. It has also to be ensured that all the workers have to avoid touching their eyes, nose, or mouth with unwashed hands.

- VII. It is the responsibility of the employer of construction related industries to provide hygienic food to the workers and proper hygiene has to be maintained in the kitchen & cafeteria (eating area). Social distancing & handwash has to be ensured without fail. The foods will have to be provided to the workers in disposable packings.
- VIII. The biomedical waste has to be disposed separately as per norms.
- IX. The industries which are permitted to function under the guidelines, shall furnish all required details especially the authorized list of workers and accommodation plan, etc. through mail at ddmasw@gmail.com.
- X. In case of permitted category of Industries, concerned SDM will ensure that all prophylactic measures are put in place and the same shall be strictly monitored.
- XI. Every Industrial unit should have an Incident Management Team led by the Factory Manager/In-charge responsible for managing the situation on daily basis. Utmost and unprecedented measures have to be taken to stop the spread of Corona virus across all sites. The Factory Manager/In-charge details and mobile number has to be provided through mail at ddmasw@gmail.com.
- XII. Biometric attendance system should be withheld and strict protocols on social distancing and hygiene at the work place/gatherings shall be followed.
- XIII. The Industrial unit shall do thermal scanning of all employees/visitors/drivers/transporters/representatives at the entry and exit points.
- XIV. All the industrial workers/employee have to download the **Arogya Setu** mobile app in their mobile phones and the Bluetooth of the mobile phones will have to be activated always. The factory manager shall give details of the employees having mobile phones and the mobile app downloaded.

- XV. Industry is responsible to provide face masks to all the workers and ensure that the workers wear the masks the moment they step out their houses, during travel inside the premises and while working in the factory.
- XVI. Sufficient provisions to be made for frequent hand washing and supply of soap/hand wash and sanitizers to be provided for all the workers by the industry. It should be made available at entry/exit points and common areas. Frequent hand washing should be mandated.
- XVII. Not more than 2 persons will be allowed to travel in lifts or hoists.
- XVIII. Use of staircase for climbing should be preferred.
- XIX. Cleaning and sanitation of the entire premises to be done atleast three times a day and between shifts.
- XX. Areas such as Entrance gate of the industry, office, cafeteria, canteens, meeting room, conference halls/open areas available/veranda, pota cabins, buildings, equipments and lifts, wash rooms, toilets, water points, walls and all other surfaces should be disinfected completely using user friendly disinfectant mediums. All the vehicles and machineries entering the industrial unit should be sanitized and disinfected.
- XXI. Industry should ensure a gap of one hour between shifts and should have staggered timing for lunch breaks for workers and employees of different units in the industry. There should not be any overlapping shifts.
- XXII. Medical insurances for the workers is mandatory and industry shall ensure that the workers are insured.
- XXIII. Maintain minimalistic footfall in factory. There should be a total ban on non- essential visitors to the industry.
- XXIV. Large meetings to be prohibited.

- XXV. If meeting is unavoidable, it should be of less than 5 in number and seating at least 6 feet away from others.
- XXVI. Each industry should have a designated area as isolation area to confine any person developed/having symptoms till such time they are transported out to the medical facility. All such cases have to be informed immediately to the CDMO (South-West) District.
- XXVII. Workers should be advised to stay at home in case if any worker has any of the symptoms viz. coughing, headache, fever, body ache, shortness of breath, nasal congestion, runny nose, and sore throat etc., and shall report to the health authorities immediately.
- XXVIII. Workers should be advised to not to spit in open places, work areas and other public places and also informed about the ill effects consuming tobacco products. Use of gutkha, tobacco etc should be prohibited.
- XXIX. Intensive communication and training on good hygiene practices among the workers/employees have to be done by the industry.
- XXX. All payments of wages/salaries to Industrial employees, Contract workers and labourers to be ensured by the 5th of every month. It is the responsibility of the industries to ensure timely payments.
- XXXI. Necessary reports shall be submitted by the industrial authorities on a daily basis through mail at the above mentioned email ID.
- XXXII. The SDM DDMA is directed to depute the teams to inspect, monitor and report on daily basis of all the activities and ensure social distancing and other prophylactic measures are properly followed by the industry.
- XXXIII. The Health teams from Health Department Distt. South-West shall also inspect the industries on a daily basis and report on the prophylactic measures adopted by the Industries.

- XXXIV. Hospital/clinics in the nearby areas, which are authorized to treat COVID-19 patients, shall be identified and the list shall be available at the work place at all times.
- XXXV. Provision for toilet & their cleanliness has to be ensured on hourly basis.
- XXXVI. Provision of creche to enable social distancing of different age groups of children has to be ensured.

Further, any person violating these lockdown measures and the directives for COVID-19 management will be liable to be proceeded against as per the provisions of section 51 to 60 of Disaster Management Act 2005, besides under section 188 of the IPC, and the other legal provisions as applicable. Extracts of these penal provisions are at **Annexure-I**.

Further, teams framed by concerned SDM & health authorities will visit the major sites on daily basis and submit a report to ensure strict compliance so as to prevent the spreading of COVID-19.

This issues with the approval of competent authority.



(NITIN JINDAL)
SDM, DDMA
DISTT. SOUTH-WEST

To
All concerned.

Copy to:

1. DCP (Dwarka & South-West Districts)
2. DC, SDMC, Najafgarh & West Zone.
3. ADM (South-West)
4. All SDMs of District South-West.
5. CDMO (South-west)

Copy for kind information to:

1. Addl. Chief Secretary (Home), GNCTD, New Delhi.
2. Divisional Commissioner, GNCTD, 5 Sham Nath Marg, Delhi.



(NITIN JINDAL)
SDM, DDMA
DISTT. SOUTH-WEST

Offences and Penalties for Violation of Lockdown Measures

A. Section 51 to 60 of the Disaster Management Act, 2005

51. Punishment of obstruction etc. – Whoever, without reasonable cause –

(a) obstructs any officer or employee of the Central Government or the State Government, or a person authorized 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 of 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 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 this 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 proved 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 shall also, he deemed to be guilty of that offence and shall be liable to proceeded against and punished accordingly.

Explanation. – For the purpose of this section – (a) “company” means nay body 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 authorized 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 authorized 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 authorized 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, direction that a religious procession shall not pass down an certain street. A knowingly disobeys the order, and thereby causes danger of riot. A has committed the offence defined in this section.
