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GOVERNMENT OF TAMIL NADU
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TAMIL NADU GOVERNMENT GAZETTE

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Part II—Section 2

Notifications or Orders of interest to a Section of the public issued by Secretariat Departments.

NOTIFICATIONS BY GOVERNMENT

REVENUE AND DISASTER MANAGEMENT DEPARTMENT

COVID-19 – EXTENDING RESTRICTIONS IN THE TERRITORIAL JURISDICTIONS OF THE STATE OF TAMIL NADU TILL 24:00 HRS OF 28.2.2021 WITH GUIDELINES AND RELAXATIONS UNDER THE DISASTER MANAGEMENT ACT, 2005

[G.O. Ms. No.84, Revenue and Disaster Management [DM&IV], 31st January 2021, தை 18, சார்வரி, திருவள்ளுவர் ஆண்டு–2052.]

No. II(2)/REVDM/ 53(I)/2021.

WHEREAS on considering the recommendations of the expert team of Doctors and Public Health Specialists and based on the directives of Government of India, Ministry of Home Affairs, State-wide lockdown was extended from time to time and lastly extended till 24:00 hrs of 31-1-2021 under the Disaster Management Act, 2005 in GO.Ms.No.820, Revenue and Disaster Management (DM-IV Department, dated 31-12-2020 with various relaxations and certain restrictions.

2. Now, therefore the Government of Tamil Nadu based on the review meetings held on various dates, particularly views expressed by the District Collectors in the meeting held on 29-1-2021 through Video Conference and views expressed by the Medical Experts and Public Health Committee during the discussion with the Hon'ble Chief Minister on 29-1-2021, in consultation with the Senior Ministers and taking view of the effect of the spread of Covid-19 virus and mutated Covid-19 virus in foreign countries, **hereby order to extend the State-wide lockdown till 24:00 hrs of 28-2-2021** under the Disaster Management Act, 2005 with various relaxations ordered in G.O. Ms.No.217, Revenue and Disaster Management (DM II), Department, dated 3-5-2020., G.O.Ms.No.245, Revenue and Disaster Management (DM II), Department, dated 18-5-2020., G.O.Ms.No.324, Revenue and Disaster Management (DM II), Department, dated 30-6-2020., G.O.Ms.No.396, Revenue and Disaster Management (DM II), Department, dated 31-7-2020., G.O.Ms.No.447, Revenue and Disaster Management (DM-IV) Department, dated 31-08-2020.,G.O.Ms.No.541, Revenue and Disaster Management (DM-IV) Department, dated 30.09.2020., G.O.Ms.No.613, Revenue and Disaster Management (DM-IV) Department, dated 31.10.2020., G.O.Ms.No.673, Revenue and Disaster Management (DM-IV) Department, dated 30-11-2020., G.O.Ms.No.820, Revenue and Disaster Management (DM-IV) Department, dated 31-12-2020 and amendments issued thereon with the existing restrictions and following further guidelines and relaxations.

I. **The following activity shall continue to remain prohibited until further orders, during the lockdown period throughout the State till 24:*00* hrs of 28-2-2021.**

All international air travel of passengers, except for purposes as permitted by MHA remain prohibited.

II. **The following activities shall be allowed in addition to the existing permitted activities throughout the State including the areas falling under the jurisdiction of Greater Chennai Police (Except in containment zones):**

i. Following the Standard Operating Procedure, **all Under Graduate and Post Graduate classes (including Diploma Classes**) in all Colleges / Universities including Arts, Science, Technical, Engineering, Agriculture, Fisheries, Veterinary Colleges shall be permitted to function from 8.2.2021. Further, Hostels for the above Students shall also be permitted.

ii. **Schools shall be permitted to function from 8.2.2021 for 9th and 11th Standards** following the Standard Operating Procedure. Further, Hostels for the above students shall also be permitted.

iii. **Petrol Pumps** which were permitted to function upto 10.00 P.M., shall be permitted to function **without any time restriction**.

iv. **Swimming Pools shall be permitted** to function by following the Standard Operating Procedure.

v. Following the Standard Operating Procedure issued by Government of India, **Cinemas / theatres / Multiplexes** shall be permitted to function **with 100% of their seating capacity** from 01.02.2021.

vi. **Exhibition Halls shall be permitted** by following the Standard Operating Procedure.

vii. Religious congregations, **all social / political / entertainment / sports / cultural / academic** and other functions shall be permitted in closed spaces from 1.2.2021 with a maximum of **50% of the hall capacity or with a ceiling of 600 persons**. Functions in open spaces shall continue to be permitted with a maximum of 50% of the participants of the total capacity and size of the Open Spaces where the above said gatherings are proposed and by strictly adhering to social distancing norms. Further prior permission shall be obtained from the Commissioner of Police in respect of Chennai City and from the District Collector in respect of Districts.

viii. Following the Standard Operating Procedure, **sports events including cricket shall be permitted with a maximum of 50% of the seating capacity of the stadia/ play grounds.**

ix. Public related Events / Meetings like **Public Grievance Day** shall be permitted in all the Districts by following the safety measures for Covid-19.

x. Following the Standard Operating Procedure, **'Rameshwaram Theerthamaaduthal'** (இராமேஸ்வரம் தீர்த்தமாடுதல் நிகழ்ச்சி) shall be permitted.

III. COVID appropriate behavior

The District administration shall take all necessary measures to promote COVID-19 appropriate behavior and ensure wearing of face masks, hand hygiene and social distancing.

IV. Surveillance and Containment

Containment Zones, if required shall be carefully demarcated by the district authorities, at the micro level, taking into consideration the guidelines prescribed by the Ministry of Health and Family Welfare (MoHFW) in this regard. Within the demarcated Containment Zones, containment measures, as prescribed by MoHFW, shall be scrupulously followed.

V. It shall be the responsibility of local district, police and municipal authorities to ensure that the prescribed Containment measures are strictly followed. The District administration shall ensure accountability of the officers concerned in this regard.

VI. Strict adherence to the prescribed Standard Operating Procedures (SOPs):

Standard Operating Procedures (SOPs) as updated from time to time, have been prescribed for various activities. These include movement of passenger trains; air travel; metro trains; schools; higher educational institutions; hotels and restaurants; shopping malls, multiplexes and entertainment parks; yoga centres and gymnasiums etc. These SOPs shall be strictly enforced by the district authorities concerned, who shall be responsible for their strict observance.

VII. 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 take necessary precautions.

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VIII. Use of Aarogya Setu

Use of Aarogya Setu may continue on best effort basis on compatible mobile phones. This will facilitate timely provision of medical attention to those individuals who are at risk.

IX. 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 adequate distance 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, local authority in accordance with its laws, rules or regulations.

Additional Directives for work places

4. **Staggering of work/ business hours** will be followed in offices, work places, shops, markets and industrial & commercial establishments.

5. **Screening & hygiene:** Provision for thermal scanning, hand wash or sanitizer will be made at all entry points and of handwash or sanitizer at exit points and common areas.

6. **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.

7. **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.

X. Penal provisions

The District administration shall strictly enforce the above measures. For the enforcement of social distancing, district administration as far as possible, use the provisions of Section 144 of the Criminal Procedure Code (CrPC) of 1973. 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.**

K. SHANMUGAM,
Chief Secretary.

Annexure-I

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 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 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.

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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 willfully compelsny 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 authorized in this behalf, by general or special order, by such Government

60. Cognizance of offence—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 a foresaid.

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.

K. SHANMUGAM,
Chief Secretary.

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