ABSTRACT

Disaster Management Act, 2005 – COVID-19 – Infection prevention and control – Extending restrictions in the territorial jurisdictions of the State of Tamil Nadu up to 30.06.2020 with Guidelines and Relaxations – Notification – Issued

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REVENUE AND DISASTER MANAGEMENT (DM-II) DEPARTMENT

GO.Ms.No.262 **Dated : 31.5.2020**

சார்வரி வைகாசி 18
திருவள்ளுவர் ஆண்டு 2051

Read :

1. G.O.Ms.No.152, Health and Family Welfare (P1) Department, dated 23.03.2020
2. Ministry of Home Affairs, Government of India Order No. 40-3/2020-DM-1(A),dated 25.03.2020.
3. G.O.(Ms)No.172, Revenue and Disaster Management (D.M.II) Department, dated 25.03.2020 and addendums issued thereon.
4. G.O.(Ms)No.190, Revenue and Disaster Management (D.M.II) Department, dated 13.04.2020.
5. G.O.(Ms)No.193, Revenue and Disaster Management (D.M.II) Department, dated 15.04.2020
6. G.O.(Ms)No.198, Revenue and Disaster Management (D.M.II) Department, dated 20.04.2020.
7. G.O.(Ms)No.202, Revenue and Disaster Management (DM II), Department, dated:22.04.2020.
8. G.O.(Ms)No.203, Revenue and Disaster Management (DM II), Department, dated:22.04.2020.
9. G.O.(Ms)No.204, Revenue and Disaster Management (DM II), Department, dated:23.04.2020.
10. G.O.(Ms)No.217 Revenue and Disaster Management (DM II), Department, dated:03.5.2020.
11. G.O.(Ms)No.220 Revenue and Disaster Management (DM II), Department, dated: 04.5.2020
12. G.O.(Ms)No.229 Revenue and Disaster Management (DM II), Department, dated:9.05.2020.
13. G.O.(Ms)No.238 Revenue and Disaster Management (DM II), Department, dated:15.05.2020.
14. G.O.(Ms)No.244 Revenue and Disaster Management (DM II), Department, dated:17.05.2020

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15. G.O.(Ms)No.245 Revenue and Disaster Management (DM II), Department, dated:18.05.2020 and amendment issued thereon.
16. From the Principal Secretary/Commissioner of Revenue Administration, Letter No.OCI/563/2020 dated 30.5.2020.
17. From Government of India, Ministry of Home Affairs, Order No.40-3/2020-DM-I(A), dated 30.5.2020.
18. Hon'ble Chief Minister's Press Release dated 31.5.2020.

NOTIFICATION

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 last extended from 00.00 hrs of 17.5.2020 till 24:00 hrs of 31.5.2020 under the Disaster Management Act, 2005 with various relaxations ordered in GO.Ms.No.217, Revenue and Disaster Management (DM-II) Department, dated 3.5.2020 with the further guidelines and relaxations in the order fifteenth read above.

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 29.5.2020 through Video Conference, based on the recommendations of the Expert Committee constituted under the Chairmanship of Additional Chief Secretary, Finance Department on Exist Strategy and views expressed by the Medical Experts and Public Health Committee on 26.5.2020 and 30.5.2020 and in consultation with the Senior Ministers hereby order to extend the State-wide lockdown till 24:00 hrs of 30.06.2020 under the Disaster Management Act, 2005 with various relaxations ordered in GO.Ms.No.217, Revenue and Disaster Management (DM-II) Department, dated 3.5.2020 and GO.Ms.No.245, Revenue and Disaster Management (DM-II) Department, dated 18.5.2020 and amendments issued thereon with existing restrictions following further guidelines and relaxations.

I. The following activities will continue to **remain prohibited** until further orders, during the lockdown period.

i. All religious places / places of worship shall be closed for public. Religious congregations are strictly prohibited.
ii. Tourists travel to Nilgiris District, Kodaikanal and Yercaud Tourist Places will be prohibited.
iii. Hotels, restaurants and other hospitality services, expect those meant for housing health / police / Government officials / healthcare workers / stranded persons including tourists and for quarantine facilities;

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iv. Shopping malls.
v. Schools, colleges, educational / training / coaching institutions etc. will remain closed. Online / distance learning shall continue to be permitted and shall be encouraged.
vi. All international air travel of passengers, except for purposes as permitted by MHA.
vii. Metro rail services and suburban train services.
viii. All Cinema halls, gymnasiums, swimming pools, entertainment parks, theatres, bars and auditoriums, assembly halls and similar places. Sports complexes and stadia will be permitted to open without spectators.
ix. All social / political / sports / entertainment / academic / cultural / religious functions / other gatherings and large congregations.
x. Inter-State public transport.

II. No activity will be permitted in the Containment Zones across the State, during the lockdown period.

III. The following activities will be allowed in all areas falling under the jurisdiction of Greater Chennai Police (Except in containment zones) in addition to the activities already permitted:

i. IT/ITEs are permitted to operate with company provided transport at 20% strength subject to a maximum of 40 persons.

ii. All Private offices are allowed to function at 50% strength. However, work from home shall be encouraged to the extent possible.

iii. All showrooms and large format shops (including jewellery and textiles shops) except in shopping malls are permitted to operate with 50% staff strength without air conditioning and limiting the number of customers to five at a time to ensure social distancing.

iv. Restaurants shall be permitted to function with effect from 8.6.2020 with dine-in facilities with 50% of seating capacity maintaining social distancing. Air conditioning shall not be used even if it is available.

v. Tea shops are permitted to function with effect from 8.6.2020 subject to 50 % seating capacity at a time to maintain social distancing.

vi. Tea shops & Restaurants (parcel alone till 7.6.2020), Vegetable shops and Provision shops, are permitted to function from 6:00 am to 8:00 pm. Liquor retail vending (TASMAC) shops continue to remain closed until further orders.

vii. Rental vehicles and taxis including Cab aggregation are permitted with not more than three passengers, excluding the driver.

viii. Autos and Cycle rickshaws are permitted with two passengers excluding driver.

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ix. Barber shops, Saloons, Spa and Beauty Parlours are permitted to function as per Standard Operating Procedures without use of air conditioning facility.

IV. The following activities will be allowed in all areas across the State except for areas under the jurisdiction of Greater Chennai Police and except in containment zones, in addition to the activities already permitted.

i. All industries are permitted to operate with 100% of employees.

ii. IT/ITES are permitted to function at 100 % strength with at least 20% to work from home.

iii. All Private offices are allowed to function at 100% strength. However, work from home shall be encouraged to the extent possible.

iv. All showrooms and large format shops (including jewellery and textiles shops) except in shopping malls are permitted to operate with 50% staff strength without air conditioning and limiting the number of customers to 5 at time to ensure social distancing.

v. Restaurants shall be permitted to function with effect from 8.6.2020 with dine-in facilities with 50% of seating capacity maintaining social distancing. Air conditioning shall not be used even if it is available.

vi. Tea shops are permitted to function with effect from 8.6.2020 subject to 50 % seating capacity at a time to maintain social distancing.

vii. Tea shops & Restaurants (parcel alone till 7.6.2020), Vegetable shops and Provision shops, are permitted to function from 6:00 am to 8:00 pm. Other shops including Liquor retail vending (TASMAC) shops are permitted to function from 10:00 am to 8:00 pm.

viii. Delivery of all goods, including non-essential goods through e-commerce is permitted.

ix. Rental vehicles and taxis including Cab aggregation are permitted with not more than three passengers, excluding the driver.

x. Autos and Cycle rickshaws are permitted with two passengers excluding driver.

xi. Public Transport is permitted through Government and Private Buses subject to conditions stipulated at **Annexure I.**

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V. 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.

VI. Use of Aarogya Setu

(i) Aarogya Setu enables early identification of potential risk of infection, and thus acts as a shield for individuals and the community.

(ii) With a view to ensuring safety in offices and work places, employers on best effort basis should ensure that Aarogya Setu is installed by all employees having compatible mobile phones.

(iii) District authorities may advise individuals to install the Aarogya Setu application on compatible mobile phones and regularly update their health status on the app. This will facilitate timely provision of medical attention to those individuals who are at risk.

VII. National Directives for COVID-19 Management

1. **Face coverings:** Wearing of face cover is compulsory in all public places; in workplaces; and during transport.

2. **Social distancing:** Individuals must maintain a minimum distance of 6 feet in public places.
Shops will ensure physical distancing among customers and will not allow more than 5 persons at one time.

3. **Gatherings:** Large public gatherings/congregations continue to remain prohibited.
Marriage related gathering: Number guests not to exceed 50.
Funeral/last rites related gathering: Number persons not to exceed 50.

4. **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.

5. **Consumption of liquor, paan, gutka, tobacco etc.** in public places is prohibited.

Additional Directives for work places

6. **Work from home (WfH):** As far as possible, the practice of WfH should be followed.

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

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

9. **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.

10. **Social distancing:** All persons in charge of work places will ensure adequate gaps between shifts, staggering the lunch breaks of staff, etc.

VIII. General

i. All inter-district movements within respective zones and intra-district movement within Greater Chennai Police Jurisdiction will be permitted without e-pass.

ii. Inter-State movement and movements from one zone to another zone shall continue with current pass system.

iii. Even when movement of persons without passes is permitted, Residents welfare Associations/Building Societies / Associations shall adopt necessary and appropriate safety measures to prevent the spread of COVID-19 which may include appropriate safeguards and regulations of the entry of outside persons including domestic workers and vendors to their buildings / complexes.

iv. All industrial and commercial establishments shall encourage their employees/workers to work from home and strictly adhere to the Standard Operating Procedures.

IX. 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 Section 188 of the IPC, and other legal provisions as applicable. Extracts of these penal provisions are at **Annexure II.** The prohibitory orders under section 144 Crpc prohibiting the assembly of five or more persons shall continue to operate even during day time.

(By order of the Governor)

K.SHANMUGAM
CHIEF SECRETARY TO GOVERNMENT.

To

The Works Manager, Government Central Press, Chennai 600 079.
(for publication in the Tamil Nadu Government Extraordinary Gazette dated 31.5.2020 (50 copies)
All Additional Chief Secretaries, Principal Secretaries and Secretaries to Government, Secretariat, Chennai-9.

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The Principal Secretary/Commissioner of Revenue Administration,Chennai-5.
All the District Collectors.
The Commissioner, Greater Chennai Corporation, Chennai.
Hon'ble Chief Minister's Office, Chennai 600 009.
The Special P.A. to Hon'ble Minister for Revenue and Disaster Management and Information Technology, Chennai-9.
The Private Secretary to Chief Secretary to Government, Chennai 9

//Forwarded//By Order//

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Annexure I

Permitting the operation of Public Transport

- State will be divided as 8 Zones for the purpose of opening up Public Transport as below:

Sl. No.	Zone	Districts covered	No. of Districts
1	I	Coimbatore, The Nilgiris, Erode,Tiruppur, Karur, Salem, Namakkal	7
2	II	Dharmapuri, Vellore, Tirupattur, Ranipet, Krishnagiri	5
3	III	Villupuram, Thiruvannamalai, Cuddalore, Kallakurichi	4
4	IV	Nagapattinam, Thiruvarur, Thanjavur, Trichirappalli, Ariyalur, Perambalur, Pudukkottai.	7
5	V	Dindigul, Madurai, Theni, Virudhunagar, Sivagangai, Ramanathapuram	6
6	VI	Tuticorin, Tirunelveli, Kanyakumari, Tenkasi	4
7	VII	Kancheepuram, Tiruvallur, Chengleput.	3
8	VIII	Chennai Police Commissionerate Limit	1

- Operations of Public Transport buses are permitted within regions with 50 percent fleet strength in all regions except Zone VII covering Kancheepuram, Tiruvallur, Chengleput and Zone VIII covering Chennai Police Commissionerate Limit.
- Operations of Public Transport buses are not permitted in Zone VII and Zone VIII.
- Permitted Public transport includes private stage carriers in authorised routes.
- The seating capacity shall be restricted to 60% of total seating capacity.
- Passenger travelling within zone is not requiring TN-e-Pass. Hence travel in Public Transport buses is not requiring TN-e-pass.

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- Inter Zone transport or Inter-State operations of public transport continue to be prohibited except for the specifically permitted operations.
- Public transport will operate as per SOP issued by Government which shall be strictly adhered to.
- Public transport carriers will charge 50% additional fare over and above existing fare for all type of operations temporarily to compensate loss due to operating at lesser seating capacity.

Standard Operating Procedure (SOP) for Public Transport Operation.

(a) Ticketing

- All State Transport Undertakings will promote issue of monthly passes to the passengers using city/town bus services to the maximum to avoid cash transaction.
- Wherever possible, QR code panels may be deployed including inside buses and on ticket and pass issuing counters. Once QR code is scanned by the passenger and amount filled and debited from their wallet, then can show it to the conductor who then will issue ticket to them.
- For the passengers not possessing pass or wallet, physical tickets will be issued by the conductor.
- All State Transport Undertakings shall make arrangement for issue of monthly passes in respect of city/town travel at all bus terminuses and important public places including Government offices.

(b) Bus Handling

- Will be disinfected before and after every trip.
- Entry for the passengers shall be only from the rear gate and exit from the front gate.
- All buses will be fixed with sanitizer dispensers of appropriate size near both rear and front gates and filled with sanitizer for use by passengers.

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- Use of air-conditioner in buses shall be avoided for better ventilation.
- Seats to be occupied by the passengers and seats to be left vacant shall be marked to maintain physical distance inside the bus.

(c) Crew

- Body temperature of crew will be checked daily before commencement of the duty.
- Crew will use facemask and gloves while on duty.
- All Crew will be provided with bottle of sanitizer for personal use.
- Insist passengers to wear masks/any face cover and use sanitizer while entering the bus.
- Line checking inspectors should be deployed at bus stops to ensure that the passengers board the bus maintaining physical distancing norms besides controlling crowd in case enough seats are not available in the bus besides checking ticketless travellers.

(d) Passengers

- Passengers shall mandatorily cover their mouth and nose with mask or cloth.
- Passengers shall board only from rear door and alight from the front door.
- If all seats are filled in the buses, passengers shall not board the bus and wait for the next bus.
- Passengers suffering from fever, cough and other ailments will not be permitted to travel in the bus.

(e) Local Bodies

- All local bodies shall ensure that all the bus stops and terminal are cleaned and well maintained for operation of buses boarding by passengers.
- All Bus terminals and stops area cleaned and disinfected twice a day.

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Annexure –II

1. Section 51 to 60 of Disaster Management Act, 2005

OFFENCES AND PENALTIES

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 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.

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(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

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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.

2. Section 188 in The Indian Penal Code

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 TO GOVERNMENT.

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31/5/2020.

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