

**GOVERNMENT OF NAGALAND
OFFICE OF THE CHIEF SECRETARY
NAGALAND: KOHIMA**

NO.CSO/GAB-I/COM/GEN-I/2020

Dated, Kohima, the 20th April, 2020

ORDER

WHEREAS, under the direction of the National Disaster Management Authority (NDMA), Order dated 14.04.2020 and as per the order of Ministry of Home Affairs, No. 40-3/2020-DM-1 (A) dated 14.04.2020, this Office, in exercise of the powers, conferred under Section 22 (h) of the Disaster Management Act, 2005; the undersigned, in the capacity as Chairperson, State Executive Committee, has issued directions to all Departments that the lockdown measures will continue to remain in force up to 03.05.2020 to contain the spread of COVID-19 in the State;

AND WHEREAS, to mitigate hardship to the public, the Ministry of Home Affairs, vide Order No. 40-3/2020-DM-I(A), dated 15th April 2020 has allowed select additional activities which will come into effect from 20th April 2020. However, these additional activities are to be operationalized based on strict compliance to the existing guidelines on lockdown measures. Before operating these relaxations, all Departments/District Administration/Work Places/Civil Society Organizations/Faith Based Organizations are to ensure that all preparatory arrangements with regard to social distancing in offices, workplaces, factories and establishments, as also other sectoral requirements are in place. The consolidated revised guidelines incorporating these relaxations are enclosed;

AND WHEREAS, the consolidated revised guidelines will not apply in containment zones, as demarcated by the Department of Health & Family Welfare/District Administration. If any new area is included in the category of a containment zone, the activities allowed in that area till the time of its categorization as a containment zone, will be suspended except for those activities as are specifically permitted under the guidelines of Ministry of Health and Family Welfare (MoHFW), Government of India;

NOW THEREFORE, in exercise of the powers, conferred under Section 22 (b) and Section 22 (h) of the Disaster Management Act. 2005, the undersigned, in the capacity as Chairperson, State Executive Committee, hereby issues directions for the strict implementation of the consolidated revised guidelines throughout the State of Nagaland with immediate effect up to 03.05.2020.



(TEMJEN TOY)

Chief Secretary

Dated, Kohima, the 20th April, 2020

NO.CSO/GAB-I/COM/GEN-I/2020

Copy to:

1. The Commissioner & Secretary to Governor, Nagaland for information.
2. The ACS to Chief Minister, Nagaland for information.
3. The Sr. PS to Deputy Chief Minister, Nagaland for information.
4. The Sr. PS to all Ministers/Advisors for information.

5. The Home Commissioner, Nagaland for information.
6. The Director General of Police for information.
7. The Commissioner, Nagaland for information.
8. JD, SIB for information.
9. The Pr. Accountant General, Nagaland for information.
10. All AHoDs/HoDs for information.
11. The Staff Officer, 3 Corps/IGAR (NY DIG, CRPF/ Comdt. BSF for information.
12. The PRC, DRC, ARC Nagaland House, Delhi, Kolkata, Guwahati, Shillong.
13. The Station Director, AIR and Doordarshan, Kohima for information.
14. The Director, IPR for wide publicity.
15. The Convenor, Lead Bank, SLBC for information of all banks.
16. All DCs/CP/SPs for information and necessary action.



(TEMJEN TOY)
Chief Secretary

CONSOLIDATED REVISED GUIDELINES

(With effect from 20th April'2020 as per Ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-I (A) dated 15th April, 2020)

1. With the extension of the lockdown period, the following activities will continue to remain **PROHIBITED** across the State of Nagaland until 3rd May, 2020:
 - a. All Buses for public transport.
 - b. Inter-district and inter-State movement of individuals except for medical reasons or for activities permitted under these guidelines.
 - c. All educational, training, coaching institutions etc. shall remain closed.
 - d. Taxis (including auto rickshaws and cycle rickshaws) and services of cab aggregators.
 - e. All cinema halls, malls, shopping complexes, gymnasiums, sports complexes, swimming pools, entertainment parks, theatres, dine in restaurants and auditoriums, assembly halls and similar places.
 - f. Activities mentioned in Sub-Clause (v) under Clause 14 on Commercial and private establishments in Ministry of Home Affairs Order No. 40-3/2020-DM-I(A), dated 15.04.2020.
 - g. All social/ political/ sports/ entertainment/ academic/ cultural/ religious functions/ other gatherings.
 - h. All religious places/ places of worship shall be closed for public. Religious congregations are strictly prohibited.
 - i. In case of funerals, congregation of more than twenty persons will not be permitted.
 - j. In addition as a matter of abundant caution, **sealing of inter-state borders will continue in toto** as existing before the 15th of April, 2020 in the following border Administrative Sub-Divisions and its subordinate Administrative Circles:
 - (i) Dimapur Sadar
 - (ii) Niuland Sub-Division
 - (iii) Dhansiripar Sub-Division
 - (iv) Siethiekema Circle
 - (v) Jalukie Sub-Division
 - (vi) Bhandari Sub-Division
 - (vii) Mangkolemba Sub-Division
 - (viii) Tuli Sub-Division



- (ix) Tamlu Sub-Division
- (x) Naginimora Sub-Division
- (xi) Tizit Sub-Division
- (xii) Pfutsero Sub-Division
- (xiii) Meluri Sub-Division
- (xiv) Jakhama Sub-Division

In all these Sub-Divisions, total Lockdown conditions will be imposed and only movement of goods vehicles, including those transiting the State, shall be allowed after proper medical screening of the drivers and attendants of those vehicles through designated Entry and Exit Points. **However inter State movement of vehicles and individuals will not be allowed in Bhandari Sub-Division.**

k. The International Border of the State with Myanmar shall continue to remain sealed as before.

2. Operation of guidelines in Hotspots and containment zones

- a. Hotspots, i.e., areas of large COVID-19 outbreaks, or clusters with significant spread of COVID-19, will be determined as per the guidelines issued by Ministry of Health and Family Welfare (MoHFW), Government of India (GoI).
- b. In these hotspots, containment zones will be demarcated by District administrations as per the guidelines of MoHFW.
- c. **In these containment zones, the activities allowed under these guidelines will not be permitted.** There shall be strict perimeter control in the area of the containment zones to ensure that there is no unchecked inward/ outward movement of population from these zones except for maintaining essential services (including medical emergencies and law and order related duties) and Government business continuity. The guidelines issued in this regard by MoHFW shall be strictly implemented.

3. Persons to remain under mandatory quarantine, as under:

- a. All such persons who have been directed by health care personnel to remain under strict home/ institutional quarantine for a period as decided by local Health Authorities.
- b. Persons violating quarantine will be liable to legal action under Section 188 of the IPC, 1860.
- c. Quarantined persons, who have arrived in India after 15.2.2020, after expiry of their quarantine period and being tested Covid-19 negative, will be released following the protocol prescribed in the SOP issued by MHA.



4. Activities Permitted Under Lockdown Measures

- a. Inter district movement of commercial passenger vehicles shall remain barred except vehicles carrying goods and commodities. This exception will include goods vehicles transiting the State which will be allowed after the mandatory medical screening of the drivers and attendants.
- b. The general public shall continue to strictly maintain social distancing and wearing of face masks, even homemade, will now be mandatory.
- c. Shops and outlets dealing with food grains, food items, vegetables, daily use items, other essential commodities will be allowed to open for extended hours as per schedule to be notified by respective Deputy Commissioners, taking into account the local conditions and circumstances. Shops and outlets dealing with other items and goods will continue to remain closed.
- d. Salons, dine-in restaurants, eateries, departmental stores and malls shall also continue to remain closed. However, home deliveries from dine-in restaurants, food outlets and delivery of online orders of essential commodities shall be permitted. Such establishments are to ensure social distancing for staff as well as customers within their premises. Dhabas at strategic locations along the highway will be permitted to function to cater to the needs of persons involved in transportation of goods. The respective Deputy Commissioners will identify such establishments.
- e. The proprietors of the shops and establishments which are allowed to open will make arrangements for keeping hand sanitizers or provide facilities for hand washing with soap and water for the public as well as for their own staff/workers. The proprietors of the shops and establishments should also get the door handles, surfaces and other objects which are frequently touched by people cleaned and disinfected. Social distancing measures will also be adhered to at all the shops and outlets.
- f. Hawker stalls located in crowded areas which offer no scope for enforcing satisfactory social distancing like the Hongkong Market, New Market in Dimapur Town, BOC Market in Kohima etc. shall remain closed except those shops/outlets dealing with food grains, vegetables, food items, medicines and other essential items and goods. Respective Deputy Commissioners, on assessing the ground situation, may issue suitable orders in this regard.
- g. Services provided by self-employed persons like Electricians, IT repairs, Plumbers, Carpenters etc. will be permitted, provided proper social distancing norms are followed.
- h. The use of common public toilets shall be prohibited.
- i. There shall be restrictions on gatherings at public places of more than 5 people.
- j. All the public places in the State like parks, museums, libraries, recreation centers etc. and all religious places, movie halls shall continue to remain closed
- k. Wedding receptions and all social /political /sports/ entertainment/ academic/cultural /religious functions/gathering will continue to remain barred.



- l. All construction activities, all agricultural and farming related activities including veterinary services, transportation of seeds, saplings, fertilizers, etc., MGNREGA activities, Mid-Day Meal schemes, Social Security Schemes may resume. However, it may be ensured that the prescribed physical distancing is strictly observed.

5. Offices and Educational Institutions:

- a. All Schools and educational institutions, including home tutorials and vocational institutions, shall continue to remain closed till further orders.
- b. The functioning of Offices of the State Government will be as per Home Department Office Memorandum NO. GAB-1/COM/GEN-1/2020, dated 13th April, 2020.
- c. Offices of the Government of India, its Autonomous/Subordinate Offices will function as per the guidelines issued vide Ministry of Home Affairs Order No. 40-3/2020-DM-I(A), dated 15.04.2020, Clause 18. Respective Deputy Commissioners may facilitate for movement of officers and staff.
- d. Essential Service Providers like BSNL & Private Telecom Services, Internet Service Providers, Media, LPG, Banks & ATMs, Petroleum outlets, Treasury, Fire & Emergency Services, Home Guards & Civil Defence, Prisons, PHED, Power, NIC, DIPR, Postal Services, Food & Civil Supplies, Social Welfare, IT&C, Municipalities/Councils, AIR, Doordarshan, Pharmacies, District Administration, Police and Medical shall continue as per previous arrangements.

6. Instructions for enforcement of above lockdown measures:

- a. All the Deputy Commissioners shall strictly enforce directives as specified in the No. CSO/GAB-1/COM/GEN-1/2020, dated 15th April 2020. Penalties prescribed shall be levied and collected from all persons and entities violating these directives (Annexure-I).
- b. All industrial and commercial establishments, work places, offices etc, shall put in place arrangements for implementation of SOP as per the order vide No. CSO/GAB-1/COM/GEN-1/2020, dated 15th April 2020 and as the SOP laid down in Annexure II.
- c. In order to implement these containment measures, the Deputy Commissioners will deploy Executive Magistrates as Incident Commanders in the respective local jurisdictions. The Incident Commander will be responsible for the overall implementation of these measures in their respective jurisdictions. All other line department officials in the specified area will work under the directions of such incident commander. The Incident Commander will issue passes for enabling essential movements as explained.
- d. The Incident Commanders will in particular ensure that all efforts for mobilization of resources, workers and material for augmentation and expansion of hospital infrastructure shall continue without any hindrance.
- e. This Order is issued in supersession of all earlier Orders, except where mentioned.

7. Penal provisions

- a. Any person violating these lockdown 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-III.



National Directives for COVID-19 Management

The National Directives shall be enforced by the District Magistrate through fines and penal action as prescribed in the Disaster Management Act, 2005.

PUBLIC SPACES

1. Wearing of face cover is compulsory in all public places, work places.
2. All persons in charge of public places, work places and transport shall ensure social distancing as per the guidelines issued by Ministry of Health and Family Welfare.
3. No organization /manager of public place shall allow gathering of 5 or more persons.
4. Gatherings such as marriages and funerals shall remain regulated by the District Magistrate.
5. Spitting in public spaces shall be punishable with fine.
6. There should be strict ban on sale of liquor, gutka, tobacco etc. and spitting should be strictly prohibited.

WORK SPACES

- i. All work places shall have adequate arrangements for temperature screening and provide sanitizers at convenient places.
- ii. Work places shall have a gap of one hour between shifts and will stagger the lunch breaks of staff, to ensure social distancing.
- iii. Persons above 65 years of age and persons with co-morbidities and parents of children below the age of 5 may be encouraged to work from home.
- iv. Use of Arogyasetu will be encouraged for all employees both private and public.
- v. All organizations shall sanitize their work places between shifts.
- vi. Large meetings to be prohibited.

MANUFACTURING ESTABLISHMENTS

1. Frequent cleaning of common surfaces and mandatory hand washing shall be mandated.
2. No overlap of shifts and staggered lunch with social distancing in canteens shall be ensured.
3. Intensive communication and training on good hygiene practices shall be taken up.



Standard Operating Procedure for Social Distancing for Offices, Workplace, Factories and Establishments

The following measures shall be implemented by all offices, factories and other establishments:

1. All areas in the premises including the following shall be disinfected completely using user friendly disinfectant mediums:
 - a. Entrance Gate of building, office etc.
 - b. Cafeteria and canteens.
 - c. Meeting room, Conference halls/ open areas available/ verandah/ entrance gate of site, bunkers, porta cabins, building etc.
 - d. Equipment and lifts.
 - e. Washroom, toilet, sink; water points etc.
 - f. Walls/ all other surfaces.
2. For workers coming from outside, special transportation facility will be arranged without any dependency on the public transport system. These vehicles should be allowed to work only with 30-40% passenger capacity.
3. All vehicles and machinery entering the premise should be disinfected by spray mandatorily.
4. Mandatory thermal scanning of everyone entering and exiting the work place to be done.
5. Medical insurance for the workers to be made mandatory.
6. Provision for hand wash & sanitizer preferably with touch free mechanism will be made at all entry and exit points and common areas. Sufficient quantities of all the items should be available.
7. Work places shall have a gap of one hour between shifts and will stagger the lunchbreaks of staff, to ensure social distancing.
Large gatherings or meetings of 10 or more people to be discouraged. Seating at least 6 feet away from others on job sites and in gatherings, meetings and training sessions.
8. Not more than 2/4 persons (depending on size) will be allowed to travel in lifts or hoists.
9. Use of staircase for climbing should be encouraged.
10. There should be strict ban of gutka, tobacco etc. and spitting should be strictly prohibited.
11. There should be total ban on non-essential visitors at sites.
12. Hospitals/clinics in the nearby areas, which are authorized to treat COVID-19 patients, should be identified and list should be available at work place all the times.



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 subsection (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 any 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 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

- 1. Section 188 of IPC** 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.

