

Nagpur Municipal Corporation, Nagpur
(Municipal Commissioner Office)

No. MC/78/2020
Date :- 17.05.2020

ORDER

Subject :- Consolidated Revised guidelines on the measures to be taken for containment of Covid-19 in the Nagpur City limits and Regulation of non-essential shops and establishment for the extended lockdown period.

Reference :-

1. The Epidemic Diseases Act, 1897
2. The Disaster Management Act, 2005
3. Government Of Maharashtra, Public Health Department Notification No. Corono-2020/CR-58/Arogya-5, Dated-13th March 2020, 14th March 2020, 15th March 2020
4. Secretary Department of Health & Family Welfare Govt. of India's letter No. D.O. No. Z.28015/19/2020-EMR, Dated 30th April 2020.
5. Government of Maharashtra Order No. DMU/2020/CR.92/DisM-1, Dated 2nd May 2020.
6. Nagpur Municipal Corporation Notification No. MC/65/2020, Dated 3rd May 2020
7. Government of Maharashtra Order No. DMU/2020/CR.92/DisM-1, Dated 3rd May 2020.
8. Nagpur Municipal Corporation Notification No. MC/67/2020, Dated 4th May 2020
9. Government of Maharashtra Order No. DMU/2020/CR.92/DisM-1, Dated 5th May 2020.
10. Nagpur Municipal Corporation Notification No. MC/71/2020, Dated 8th May 2020
11. Government of Maharashtra Order No. FLR-0520/COVID/C.R.1/EXE-2, Dated 11th May 2020.
12. Nagpur Municipal Corporation Order No. MC/77/2020, Dated 13th May 2020.
13. Government of Maharashtra Order No. DMU/2020/CR.92/DisM-1, 16th May 2020.
14. Government of Maharashtra Order No. DMU/2020/CR.92/DisM-1, 17th May 2020.

Whereas the Government of Maharashtra, in exercise of the power conferred under section 2, 3, & 4 of the Epidemic Diseases Act, 1897 has framed Regulations for prevention of containment of COVID-19 under Notification No. Corona 2020/CR/58/Arogya-5 dated 13th March, 2020 and Dated 14th March, 2020.

And Whereas, as per section 3 of the said Regulation, Municipal Commissioner of Municipal Corporation of Nagpur has been declared as 'Empowered officer' & is empowered to take such measures as are necessary to prevent the outbreak of Covid-19 or spread thereof within his respective jurisdiction,

And whereas the Government of Maharashtra vide No. DMU/2020/CR.92/DM-1, Dated: 5th May 2020 has issued clarification to the order issued on 04.05.2020 vide clause 2 (a) authorizing the Municipal Commissioner of Nagpur to regulate the shops/markets in the jurisdiction of city limits.


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Whereas, looking at the chain of the spread of virus and continuous increase in the Covid-19 positive cases and in the interest of safety and lives of the people at large in Nagpur City, I am of the opinion that it is necessary to implement strict measures and regulations for containment and to control the spread of Covid-19.

Whereas, Government of Maharashtra vide its order dated 11.05.2020 as referred at Sr. No. 11 have permitted to sell the IMFL-Spirits, Beer, Mild liquor, Wines to the permit holders by effecting delivery at the home address of the permit holder, subject to conditions specified in the said order.

Whereas, Government of Maharashtra vide its order dated 16th May 2020 as referred at Sr. No. 13, have included proviso in para 7(ii)(g) of pertaining to red zones, which reads as below.

*"However Sub-registrar offices, RTO offices and Dy. RTO offices will be permitted to function, except in containment zones, with following conditions.
Sub-registrar offices may function with up to 5 personnel.
RTO offices and Dy. RTO offices may function with 10% of Clerical Strength"*

Whereas, Government of Maharashtra vide its order dated 17th May 2020 as referred at Sr. No. 14, have issued directions to extend lockdown till 31st May 2020 for containment of Covid-19 Epidemic in the State.

And whereas, there is a need for clarity regarding the permitted and non-permitted activities, during the lockdown period, I am of the opinion that it is necessary to make a comprehensive list of all such activities.

And therefore, in exercise of powers conferred under rule 3 of the "The Maharashtra COVID-19 Regulation, 2020" and of all other powers enabling in that behalf, in the interest of safety of life of public at large, I, Tukaram Mundhe, Municipal Commissioner Nagpur Municipal Corporation hereby direct that the lockdown period shall be extended upto & inclusive till midnight of 31st May 2020 in the City of Nagpur the guidelines issued by this office vide order dated 13th May 2020 shall be implemented with following regulations, as mentioned herein below in the list of permitted and non-permitted activities, till further order.

1. The following activities will continue to remain prohibited in the whole City of Nagpur upto the extended lockdown period till further order

- i. All domestic and international air travel of passengers, except for medical services, air ambulance and for security purpose or for purpose as permitted by Minister of Home Affairs

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- ii. All passenger movement by trains, except for security purpose or for purposes as permitted by Minister of Home Affairs / Government of Maharashtra.
- iii. Inter-State Buses for public transport, except as permitted by Minister of Home Affairs / Government of Maharashtra.
- iv. Metro rail services.
- v. Inter-State movement of individuals except for medical reasons or for activities as permitted by Minister of Home Affairs.
- vi. All schools, colleges, educational/ training/ coaching institution etc. However, online/ distance learning shall be permitted.
- vii. Hospitality services other than those used for housing health/ police/ Government officials/ healthcare workers, stranded persons including tourists, and those used for quarantine facilities.
- viii. All cinema halls, shopping malls, gymnasiums, sports complexes, swimming pools, entertainment parks, theaters, bars and auditoriums, assembly halls and similar places.
- ix. All social/ political/ sports/ entertainment/ academic/ cultural/ religious functions/ other gatherings.
- x. All religious places/ places of worship shall be closed for public. Religious congregations are strictly prohibited.
- xi. All malls, market complexes and markets shall remain closed.
- xii. Cycle rickshaws and auto rickshaws.
- xiii. Taxis and cab aggregators.
- xiv. Intra-district and inter-district plying of buses.
- xv. Barber shops, spas and salons.
- xvi. Industrial establishment in urban areas: Only Special Economic Zones (SEZs), Export Oriented Units (EOUs), industrial estates and industrial townships

2. The following activities shall be permitted with restrictions/regulations as specified :

- a. Movement of individuals and vehicles, only for permitted activities. Four wheeler vehicles will have maximum two passengers besides the vehicle driver; for two wheelers, pillion rider is not allowed.
- b. Manufacturing units of essential goods, including drugs, pharmaceuticals, medical devices, their raw material and intermediates: Production units, which require continuous process, and their supply chain; Manufacturing of IT hardware; with staggered shifts and social distancing; and, Manufacturing units of packaging material are permitted.
- c. Construction activities in urban areas: Only in-situ construction (where workers are available on site and no workers are required to be brought in from outside) and construction of renewable energy projects are permitted in areas excluding all Containment areas in Nagpur City declared from time to time.
- d. Shops selling essential goods in markets and market complexes, and in all areas are permitted with following the Covid-19 guidelines. However, Essential commodities shops in all containment areas declared from time to time shall be allowed to remain open between 7.00 am to 3.00 pm only.

Non-essential type standalone (single) shops, neighborhood (colony) shops and shops in residential complexes are permitted to remain open provided any particular lane has not more than five shops that are selling non-essential goods, besides shops selling essential goods. However, non-essential items are allowed to be sold as per the schedule below in areas excluding all Containment areas in Nagpur City declared from time to time.

Schedule of shops selling Non-Essential Goods

| Sr. No. | Type of Non-Essential Goods | Specified Days of the week (Working time 7.00 am to 7.00 pm) |
|---------|--|---|
| 1 | Shops of Electrical items including sale of Coolers, Repairing Shops of Computer, Mobile & Home Appliances, Shops of Hardware and Building Materials | Monday, Wednesday, Friday |
| 2 | Auto Spares and Repair Shops/ garages (including puncture Shop) Tyre shops, Oil & lubricants shops Optical, Stationary & Hosiery shops | Tuesday, Thursday, Saturday, Sunday |

The liquor shops would be permitted to sale IMFL-Spirits, Beer, Mild liquor, Wines to the valid permit holders, at their home address following the conditions as mentioned in the order dated 11.05.2020 of Government of Maharashtra as referred at Sr. No. 11 excluding containment areas in Nagpur City declared for time to time.

- e. E-commerce activities will be permitted only in respect of essential goods, medicine, medical equipment, etc.
- f. Private offices in the area can operate with upto 15% strength as per requirement, with the remaining persons working from home in areas excluding all Containment Zone in Nagpur City declared from time to time within the Nagpur City limits.
- g. All Government offices except Sub registrar offices, RTO office & Dy. RTO offices in the area shall function with officers of the level of Deputy Secretary and above to the extent of 100% strength. The remaining staff will attend upto 33% as per requirement. However, Sub-registrar offices, RTO offices and Dy. RTO offices will be permitted to function, except in containment zones, with following conditions. Sub-registrar offices may function with up to 5 personnel. RTO offices and Dy. RTO offices may function with 10% of Clerical Strength" However, Defense and Security services, Health and Family Welfare, Police, Prisons, Home Guards, Civil Defence, Fire and Emergency Services, Disaster management and related services, NIC, Customs, FCI, NCC, NYK and Municipal services shall function without any restrictions; delivery of public services shall be ensured and necessary staff will be deployed for such purpose.
- h. All Pre-monsoon related works including the protection of building, shuttering, water-proofing, flood protection, propping and structural repairs of building, demolition of unsafe buildings, etc.

No separate/ fresh permissions are required from this office for activities permitted to operate, vide this notification.

M. A. B. Shinde

Further, the directives issued for Covid-19 Management at Public places & work places on annexed in Annexure - I and penalties for violation of Lockdown measures as annexed in Annexure - II shall be scrupulously followed, failing which the relaxation / permission, if any, given shall stand null & void.

It is further directed that all earlier orders shall be aligned with this order and shall remain in force upto and inclusive of 31st May 2020 with strict adherence to the Covid-19 guidelines issued from time to time.

Encl :-

Annexure-I -Directives of COVID-19 Management

Annexure-II -Offences and penalties for Violation of Lockdown Measures


Tukaram Mundhe, (IAS)
Commissioner
Nagpur Municipal Corporation

Copy for implementation :

1. Police Commissioner, Nagpur
2. Addl. Municipal Commissioner, NMC, Nagpur
3. All Dy. Commissioner, NMC, Nagpur
4. All HOD's NMC, Nagpur
5. All Asst. Commissioner, NMC, Nagpur

Copy for information :-

1. Divisional Commissioner, Nagpur
2. Collector & District Magistrate, Nagpur


Tukaram Mundhe, (IAS)
Commissioner
Nagpur Municipal Corporation

Annexure I

Directives for COVID-19 Management

PUBLIC PLACES

1. Wearing of face cover is compulsory in all public places.
2. All persons in charge of public 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. Marriage related gatherings shall ensure social distancing, and the maximum number of guests allowed shall not be more than 20.
5. Funeral/ last rites related gatherings shall ensure social distancing, and the maximum numbers allowed shall not be more than 20.
6. Spitting in public places shall be punishable with fine, as may be prescribed by the State /UT local authority.
7. Consumption of liquor, paan, tobacco etc. in public places is not allowed.
8. The shops of paan and tobacco shall remain closed.

WORK PLACES

9. Wearing of face cover is compulsory in all work places and adequate stock of such face covers shall be made available.
10. All persons in charge of work places shall ensure social distancing as per the guidelines issued by Ministry of Health and Family Welfare, both within the work places and in company transport.
11. Social distancing at work places shall be ensured through adequate gaps between shifts, staggering the lunch breaks of staff, etc.
12. Provision for thermal scanning, hand wash and sanitizer preferably with touch free mechanism will be made at all entry and exit points and common areas. In addition, sufficient quantities of hand wash and sanitizer shall be made available in the work places.
13. Frequent sanitization of entire workplace, common facilities and all points which come into human contact e.g. door handles etc., shall be ensured, including between shifts.
14. Persons above 65 years of age, persons with co-morbidities, pregnant women and children below the age of 10 years shall stay at home, except for meeting essential requirements and for health purposes.
15. Use of Arogya setu app shall be made mandatory for all employees, both private and public. It shall be the responsibility of the Head of the respective Organizations to ensure 100% coverage of this app among the employees.
16. Large physical meetings to be avoided.
17. Hospital/ 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. Employees showing any symptom of COVID-19 should be immediately sent for check up to such facilities. Quarantine areas should be earmarked for isolating employees showing symptoms till they are safely moved to the medical facilities.
18. Arrangements for transport facilities shall be ensured with social distancing. Wherever personal/ public transport is not feasible.
19. Intensive communication and training on good hygiene practices shall be taken up.

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Annexure II

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 result 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. Offences 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 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 offence punishable under section 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 any 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 any 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.

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