AJAY BHALLA, IAS

गृह सचिव
Home Secretary
भारत सरकार
Government of India
North Block,
New Delhi

सत्यमेव जयते

D.O. No. 40-3/2020-DM-I(A)

02nd April, 2020

Dear **Chief Secretary,**

Please refer to my D.O. letter of even number dated 31.03.2020 wherein it was requested to strictly implement the lockdown measures issued by Ministry of Home Affairs in exercise of powers under Disaster Management Act, 2005 in letter and spirit, without allowing any exception.

2.   Your kind attention is also brought to letter No. 40-1/2020-DM-I dated 01.04.2020 wherein observations/directions of the Hon'ble Supreme Court of India in the Writ Petition (Civil) No. 468 of 2020 were also brought to your notice. While referring to the provisions of Disaster Management Act, 2005 and Indian Penal Code the Hon'ble Court observed that (quote) "we trust and expect that all concerned viz., State Governments, Public Authorities and Citizens of this country will faithfully comply with the directives, advisories and orders issued by Union of India in letter and spirit in the interest of public safety" (unquote).

3.   In the lockdown measures issued vide MHA Order No. 40-3/2020-DM-I(A) dated 24.03.2020, it is clearly mentioned that "any person violating these containment 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". Extract of the respective penal provisions was also attached with the guidelines. Extracts of penal provisions of Disaster Management Act, 2005 and IPC, in bilingual version, are again attached.

4.   It is requested that for the attention of the public authorities and citizens, the penal provisions under the DM Act and IPC should be widely circulated and for violation of lockdown measures, action under relevant provisions of DM Act and IPC shall be taken by the law enforcement authorities.

With regards,

Yours sincerely,

Encl. as above

(Ajay Bhalla)

Chief Secretaries of All States
(As per Standard List attached)