

MUNICIPAL CORPORATION OF GREATER MUMBAI

CIRCULAR

No. MGC/A/3561 dt. 2-6-2020

Sub :	Extension of lockdown and revised guidelines on the measures to be taken in respect of Easing of Restriction and phasewise opening of lockdown.
-------	---

Whereas the Government of Maharashtra, in exercise of the power conferred under Section 2, 3 & 4 of the Epidemic Diseases Act 1897 has issued revised consolidated guidelines from time to time vide various orders to contain the spread of COVID-19.

And Whereas Municipal Commissioner of Municipal Corporation of Greater Mumbai, 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 I am satisfied that the city of Mumbai and its suburbs under the jurisdiction of MCGM is visited by/or is threatened with, an outbreak of an epidemic disease (COVID 19) and therefore I am required to take such measures to prevent the outbreak of such disease or the spread thereof

And Whereas in exercise of powers conferred under Section 2 of the Epidemic Diseases Act 1897 and the powers conferred under the Disaster Management Act 2005, Now therefore in exercise of the powers conferred under the Disaster Management Act and pursuant to the orders issued by the Ministry of Home Affairs, Government of India under No. 40-3/2020-DM-I(A) and pursuant to the order issued by the Chief Secretary Government of Maharashtra under No. DMU/2020/CR.92/DisM-1, dated 31st May 2020, the undersigned in capacity of Municipal Commissioner hereby issues direction to extend the lockdown, with amendments to operationalize MISSION BEGIN AGAIN for easing of restrictions and phasewise opening till 30th June 2020 for containment of COVID-19 in the city of Municipal limits in Mumbai.

AND in view thereof, I, I.S. Chahal, IAS, Municipal Commissioner as per revised guidelines for Easing of Restrictions and phasewise opening of lockdown in respect of MISSION BEGIN AGAIN, hereby issue the following order and the guidelines in Phase I, Phase II and Phase III which are as under :

1. This order shall come into effect from 03.06.2020 and shall remain in operation till 30.06.2020.

2. **National Directives for Covid -19 management**

National Directives for Covid-19 management as specified in **Annexure I** shall be followed throughout the city

3. **Night Curfew**

The movement of individuals shall remain strictly prohibited between 9.00 pm to 5.00 am except for essential activities. Local authorities shall issue orders in the entire area of jurisdiction under appropriate provisions of law, such as prohibitory orders under sec 144 of CrPC, and ensure strict compliance.

4. **Protection Of Vulnerable Persons:**

Persons above 65 years of age, persons with comorbidities, pregnant women and children below the age of 10 years are advised to stay home, except for essential and medical services.

5. **Containment Zones and sealed buildings / floors :**

- I. Containment zones as well as sealed buildings are demarcated by Asstt. Commissioner of all 24 Wards of MCGM on daily basis and the same lists are uploaded on MCGM portal. Their periphery is to be strictly defined and controlled by Asstt. Commissioners in consultation with the local Police officers for such containment zones and sealed buildings / floors.
- II. In containment zones, only essential activities shall be allowed. There shall be strict perimeter control to ensure there is no movement of people in and out of these zones, except for medical emergencies and for maintaining supply of essential goods. Guidelines of MOHFW shall be taken into consideration for the above purpose.
- III. Sealed buildings irrespective whether the floors or the building is sealed, only essential activities shall be allowed. The SOPs for the sealed buildings already issued on 13.5.2020 will continue to be effective.

6. Easing of Restrictions and Phase wise Opening:

The following activities are additionally permitted with restrictions, in phases as described below except containment zones. This is in addition to the activities already allowed and permitted (Annexure II).

MISSION BEGIN AGAIN Phase I (With Effect from 3rd June 2020)

(i) Outdoor physical activities.

Individual physical exercises like cycling, Jogging /running / walking shall be permitted on public open spaces including beaches, public / private playgrounds, grounds belonging to societies/institutions, gardens and promenades with following conditions. No activities will be permitted in indoor portion or indoor stadium.

- 1) This will be allowed between 5 am to 7 pm.
- 2) No group activity will be permitted. However, children should be accompanied by an adult.
- 3) People are advised to stay outdoors only for the purposes of physical activities for limited duration.
- 4) No other activity is permitted.
- 5) People are permitted to use only nearby/neighborhood open spaces. Long distance travel will not be permitted.
- 6) People are advised to avoid crowded open spaces.

People are actively encouraged to use cycling as a form of physical exercise as it automatically ensures social distancing.

- (ii) Activities related to self-employed people like plumbers, electricians, pest-control and technicians with social distancing norms and usage of masks and sanitization.**
- (iii) Garages to mend vehicles and workshops with prior appointments.**
- (iv) All Government offices (excluding Emergency, health & Medical, treasuries, disaster management, police, NIC, food & Civil Supply, FCI, N.Y.K., Municipal Services who can operate at the levels as per the need) will function at 15% strength or minimum 15 employees whichever is more.**

MISSION BEGIN AGAIN Phase II (With Effect from 5th June 2020)

- (i) All markets, market areas & shops, except malls and market complexes, are allowed to function from 9 am to 5 pm with following conditions.
- a. Shops on both sides of the road, lane & passage are allowed to be open on alternate day. Eg. Shops situated on right side of road lane passage will be open on Monday, Wednesday, Friday and Shops situated on left side of road lane passage will be opened on Tuesday, Thursday & Saturday will be opened on alternate days.
 - b. The shops will be remain open between 9.00 a.m. to 5.00 p.m. from Monday to Saturday and closed on Sunday.
 - c. Use of trial rooms, exchanges of policy, return policy will not be permitted in the shops.
 - d. Shopkeepers will be responsible for ensuring social distancing norms like foot marking on the floor, token system and home delivery etc.
 - e. In case of failure of social distancing in any shop the authority will immediately close down such shops / markets.
 - f. All retail shopkeepers and traders associations will cooperate for observing above rules.
 - g. Any suggestions regarding observations of above rules from traders associations will be taken into consideration by Asst. Commissioners of wards provided that such suggestions are useful for effective implementation of Missions Begin Again Phase-II.
- (ii) **Movement of people is allowed in following manner:**

Taxi /Cab/ aggregator	Only essential 1 + 2
Rickshaw	Only essential 1 + 2
Four Wheeler	Only essential 1+ 2
Two wheeler	Only essential One Rider

MISSION BEGIN AGAIN Phase III (With Effect from 8th June 2020)

i. All private offices can operate with up to 10% strength as per requirement, with remaining persons working from home. However all the employers will take sensitisation programs to educate the employees to take adequate precautions on returning home so that vulnerable group especially the elderly is not infected.

7. The following activities will remain prohibited across the City of Mumbai limits:

- i. Schools, colleges, educational, training, coaching institutions etc.
- ii. International air travel of passengers, except as permitted by MHA.
- iii. Metro Rail.
- iv. Passenger Movement by trains and domestic air travel unless specifically allowed through separate orders and standard operating procedure (SOP)
- v. Cinema halls, gymnasiums, swimming pools, entertainment parks, theatres, bars and auditoriums, assembly halls and similar places.
- vi. Social, political, sports/ entertainment, academic/ cultural, religious functions and large congregations.
- vii. Religious places/ places of worship for public
- viii. Barber Shops, Spas, Saloons, Beauty Parlours.
- ix. Shopping Malls, Hotels, Restaurants and other Hospitality Services.

Easing of Restrictions and opening up for these activities will be done in phased manner along with Standard Operating Procedures/Guidelines.

8. Special direction to ensure movement of persons and goods in certain cases.

i. All authorities shall allow intra-State movement of medical professionals, nurses and para medical staff, sanitation personnel and ambulances, without any restrictions.

9. Use of Aarogya Setu

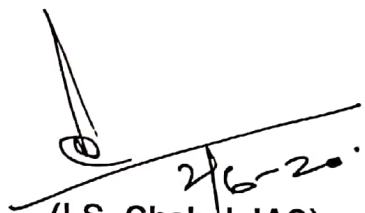
i. Aarogya Setu enables early identification of potential risk of infection, and thus acts as a shield for individuals and the community.

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

9. General instructions

Notwithstanding anything contained in this order, containment areas will continue to follow same health protocols, as laid down before this order.

10. **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 Sec. 188 of the IPC, and other legal provisions as applicable.


(I.S. Chahal, IAS)
Municipal Commissioner

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 a minimum distance of 6 feet (2 Gaz Ki doori) in public places.
Shops will ensure physical distancing among customers and will not allow more than five persons at one time.
- 3) Gatherings – large public gatherings / congregations continue to remain prohibited.
Marriage related gatherings – Number of guests not to exceed 50.
Funeral / last rites related gatherings – number of persons not to exceed 20.
- 4) Spitting in public places will be punishable with fine, as may be prescribed by the concerned authority in accordance with its laws, rules or regulations.
- 5) Consumption of liquor, Paan, tobacco, etc in public places is prohibited.

Additional directives for workplaces.

- 6) Work from home (WFH) – as far as possible the practice of WFH should be followed. Staggering of work / business hours will be followed in offices, workplaces, shops, markets and industrial & commercial establishments.
- 7) Screening and hygiene – provision for thermal scanning, hand wash and sanitizer will be made at all entry and exit points and common areas.
- 8) 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.
- 9) Social distancing – all persons in charge of workplaces will ensure adequate distance between workers, adequate gaps between shifts, staggering the lunch breaks of staff, etc.

For the purposes of Clause 6:

Activities permitted so far by various orders upto order dated 19th May 2020

- i. All essential shops which are allowed to remain open before this order, shall continue to do so.
- ii. All non-essential shops will be allowed to continue as per relaxations and guidelines issued before this order and are in operation as per the policy of respective Municipal Corporation. Liquor shops will continue to operate if permitted, home delivery or otherwise.
- iii. E-commerce activity for essential as well as non-essential items & material.
- iv. All the industrial units which are presently open will continue to operate.
- v. All construction sites (Public/Private) which are allowed to remain open and operational. All such pre-monsoon works (Public and Private) which are allowed.
- vi. Home delivery restaurants / Kitchen.
- vii. On-line/ distance learning and related activities.
- viii. Govt Offices at 5% strength or 10 persons whichever is higher.
- ix. People's movement is allowed in following manner :

Four Wheeler	Only essential 1 + 2
Two wheeler	Only essential One Rider
- x. Any other allowed and permitted activity by any specific/general order.

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 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 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 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 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.
