

Government of Himachal Pradesh
HEALTH AND FAMILY WELFARE

Order No.: 36098-16557/2020

File No.HFW-A-A(3)1/2020

Dated: 14th March, 2020

Notification/Office Order

In partial modification of this department's notification of even number dated 11th March, 2020, the Governor, Himachal Pradesh is pleased to make the 'The Himachal Pradesh Epidemic Disease (COVID-19)(Amendment) Regulations, 2020' as per the Annexure 'A'

Annexure 'A'

The Himachal Pradesh Epidemic Disease (COVID-19) (Amedment) Regulations, 2020

1. Short title, extent and commencement

- (i) These regulations may be called 'The Himachal Pradesh Epidemic Disease (COVID-19) (Amendment) Regulations, 2020'.
- (ii) They shall extend to whole of the State of Himachal Pradesh.
- (iii) They shall come into force from the date of publication of the notification in the official Gazette.

2. Definitions

In these Regulations, unless the context otherwise requires:

- (a) 'Epidemic disease' means COVID-19.
- (b) 'State Government' means any of the administrative departments of the Government of Himachal Pradesh.
- (c) 'Surveillance Personnel' means any personnel designated by the District Magistrate of the respective District to discharge such functions, duties and responsibilities as are considered necessary for the purpose of these regulations.
- (d) 'Premises' means any land, whether used for agricultural or non-agricultural purposes, or any building or part of a building and includes,-
 - (i) the garden, grounds and out-houses, if any, appurtenant to such building or part of a building, and
 - (ii) any fittings affixed to such building or part of a building for the more beneficial enjoyment, thereof;
- (e) 'Home Quarantine' means confining a person suspected to suffering from Epidemic disease to a dwelling unit or part thereof with a purpose to minimize possibility of direct or indirect contact with other persons and animals.
- (f) 'Institutional Quarantine' Facility means any facility declared by the Director Health Services, Himachal Pradesh for the purpose of quarantine of suspected/probable cases of the Epidemic disease.
- (g) 'Isolation Facility' means any facility declared by the Director Health Services, Himachal Pradesh for the purpose of isolation of confirmed cases of the Epidemic disease.
- (h) 'Order' means any instruction(s) or order(s) or advisory issued by the competent authority.
- (i) 'District Surveillance Unit' means any unit or office notified as such by the State Government or any of its functionaries.

3. Competence to pass Order

The State Government or the concerned District Magistrate/ Additional District Magistrate/ Sub Divisional Magistrate/ Executive Magistrate or officers of the Health and Family Welfare Department, Department of Medical Education and Research not below the rank of Chief Medical Officer of a District, Principal of a Government Medical College or Medical Superintendent of a Hospital shall be competent to pass an Order for the surveillance, prevention, control and treatment of the Epidemic disease.

4. Powers, duties and responsibilities of Surveillance Personnel

- (i) If there are sufficient reasons, cause or information to suspect or believe that any person (s) could be infected

with the Epidemic disease and his continued presence in a premises is hazardous to the public safety, it shall be lawful for a Surveillance Personnel to enter upon any such premises, after giving reasonable opportunity to the owner/ occupier, for the purpose of surveillance of instances of fever or cough or respiratory difficulty, enquire into or undertake physical examination, as he/she thinks fit, and such person(s) shall be bound to cooperate and render all possible assistance to facilitate such surveillance, inspection, enquiry and examination.

(ii) If consequent upon such inquiry, inspection, examination or otherwise, Surveillance Personnel has reason to believe or suspect that such a person could be infected with the Epidemic disease, the Surveillance Personnel may direct/arrange to put that person (s) in home quarantine or direct/ escort that person (s) to an 'Institutional Quarantine Facility' or an 'Isolation Facility'.

5. Duties of Medical Officers and Practitioners

It shall be mandatory for Medical Officers in Government Health Institutions and registered Private Medical Practitioners, including AYUSH practitioners, to notify such person(s) to the concerned District Surveillance Unit, along with duly filled up self declaration forms, who, within their knowledge, are having travel history to COVID-19 affected countries as per the extant guidelines and are having complaints of fever or cough or respiratory difficulty or even without any signs and symptoms of the Epidemic disease.

6. Enforcement

If the owner or occupier(s) of any premises or any individual suspected/confirmed with the Epidemic disease, refuses to take measures for prevention or treatment i.e. Home quarantine/Institutional Quarantine/Isolation or any such person refuses to co-operate with, render assistance to or comply with the directions of the Surveillance Personnel, the concerned District Magistrate or Additional District Magistrate or Sub Divisional Magistrate or an Executive Magistrate, having jurisdiction and specifically authorized by the District Magistrate in this regard, may pass an appropriate Order and may proceed with proceedings under Section 133 of the Code of Criminal Procedure, 1973 (2 of 1974) or take any other coercive action as deemed necessary and expedient for enforcing such cooperation and assistance. In case of a minor, such Order shall be directed to the guardian or any other adult member of the family of the minor.

7. Offences

Whosoever contravenes any of the provisions of these regulations or disobeys an Order or obstructs the performance of functions, duties and responsibilities enshrined upon any competent authority under these regulations, shall be deemed to have committed an offence under Section 188 of the Indian Penal Code, 1860 (45 of 1860)

8. Protection

No suit or other legal proceedings shall lie against any person for anything done or intended to be done in good faith under these Regulations.

By Order

R.D. Dhiman, IAS
Addl. Chief Secretary (Health) to the
Government of Himachal Pradesh

Endorsement number HFW-A-A(3)1/2020 As above 14th March,2020

Copies endorsed to:

1. All the Additional Chief Secretaries/Principal Secretaries/Secretaries to the Government of Himachal Pradesh.
2. The Pr. Secretary to Chief Minister, Himachal Pradesh.
3. The Secretary to Governor, Himachal Pradesh
4. The Divisional Commissioners Shimla, Kangra and Mandi in Himachal Pradesh.
5. All the Deputy Commissioners in Himachal Pradesh.
6. The Mission Director, National Health Mission, Himachal Pradesh, Shimla-9
7. The Director, Health Services, Himachal Pradesh, Shimla-9
8. The Director, Medical Education & Research, Himachal Pradesh, Shimla-9
9. The Director, Health Safety & Regulation, Himachal Pradesh, Shimla-9
10. The Director, Dental Health Services, Himachal Pradesh, Shimla-9
11. The Pr. PS to Chief Minister, Himachal Pradesh.
12. All the CMO's/Medical Superintendents/Principals of Medical Colleges/Block Medical Officers in Himachal Pradesh.



(Amarjeet Singh)
Special Secretary (Health) to the
Government of Himachal Pradesh