

**IN THE SUPREME COURT OF INDIA****DIARY NO. 10789 of 2020****IN THE MATTER OF**

ALAKH ALOK SRIVASTAVA

...PETITIONER-IN-  
PERSON**Versus**

UNION OF INDIA

...RESPONDENT

**STATUS REPORT**

1. The Central Government is filing this Status Report with a view to respectfully apprise this Hon'ble Court about the pro-active and pre-emptive timely steps taken by the Central Government to deal with an unprecedented global crises which is declared to be a "pandemic" by World Health Organisation which has engulfed a substantial geographical part of the world.
2. It is respectfully submitted that as pointed out hereunder, the Central Government initiated the timely actions and geared up all its Ministries much before WHO declared Covid-19 to be a "Public Health Emergency of International Concern". Very few countries of the world responded as timely the way India responded as a result of which the spread of Covid-19 is capable of being contained in our country so far.
3. It is submitted that the following facts are placed for consideration of this Hon'ble Court with a view to apprise this Hon'ble Court though they may not be required for adjudication of two petitions which have very restrictive scope. The facts presented in this report are only those facts which may be relevant at this stage.

4. It is submitted that India had a proactive, pre-emptive and graded response to COVID-19. While the crisis was developing internationally, Central government has taken quick and timely measures in anticipation of the potential crises reaching our country even before India had the first confirmed case.

5. It is submitted that on 7th January, 2020, China announced a new type of Coronavirus as causative agent for disease. India's Joint Monitoring Mission under Director General of Health Services, Ministry of Health, Government of India immediately met on the 8th January, 2020 to analyse and monitor the situation without wasting any time.

6. Further, on 7th January 2020 itself, Union Health Secretary addressed all state Health Secretaries to examine and take necessary actions for adequate hospital preparedness to meet with any potential emergency. This was much in advance and without wasting even a single day after announcement made by China.

7. On 18th January 2020, thermal screening for detection of fever was started for all passengers coming from China and Hong Kong at three international airports. It is pertinent to submit that World Health Organization (WHO) declared COVID-19 disease as a 'Public Health Emergency of International Concern' (PHEIC) on 30th January 2020. However, the Indian government initiated actions thirteen days before even WHO had declared COVID-19 as a Public Health Emergency of International Concern.

This early and prompt action was needed in view of different level of health system maturity across all the states in the vast country like India having population of approximately 130 crores.

8. **Institutional response:** It is submitted that Indian government gave an institutional response to the management of

COVID-19 disease most scientifically and methodically. The situation was monitored at the highest political and executive level by the Hon'ble Prime Minister. A Group of Ministers (Health, Aviation, Shipping, Home Affairs and External Affairs) under chairpersonship of Union Health Minister was formed to monitor India's response to this global challenge.

9. Further, a Committee of Secretaries chaired by Cabinet Secretary coordinated the management efforts being taken at ground level across the country. Union Health Secretary has taken detailed review meetings through Video Conferences on almost every alternate day with Secretary of Health Department of each of the States to ensure effective implementation of measures suggested by the Central Government.

Joint Monitoring Group (JMG) under Director General of Health Services, Union Ministry of Health (including WHO) held series of meetings to provide required technical support to the management efforts of the Central Government.

10. **Point of Entry Surveillance/Travel Advisories:** The Central Government initiated thermal screening progressively at the airports, seaports and land borders and issued travel advisories based on evolving global situation. Travel Advisories were revised and travel restrictions imposed periodically commensurate with the severity and spread of the disease to guide Indian citizens as well as to monitor international travellers.

11. It is submitted that Travel Advisory was issued on 30<sup>th</sup> January and many additional and further advisories were issued periodically totalling to 21 advisories which included the advisories issued on 3<sup>rd</sup> February, 22<sup>nd</sup> February, 26<sup>th</sup> February, 3<sup>rd</sup> March, 5<sup>th</sup> March, 6<sup>th</sup> March, 10<sup>th</sup> March, 16<sup>th</sup>, 17<sup>th</sup> and 19<sup>th</sup> March as per the evolving situation regarding Covid-19 and as a part of the daily review of the

situation in India and the world to ensure effective management of COVID-19.

12. By 4<sup>th</sup> March, thermal screening was initiated for all international flights. It is submitted that after the thermal screening at the airports, the symptomatic passengers were directly taken to isolation wards in tertiary care hospitals attached to airports while the asymptomatic passengers were further advised mandatory home quarantine, provided with suitable risk communication material and were further monitored by health staff during their stay for a period of 28 days (double the incubation period of virus). This exercise was undertaken scrupulously under direct and continuous monitoring at the highest executive level.

13. In stages, travel restrictions were imposed and existing visas were suspended from the countries which reported high number of cases and deaths and progressively flights in India were restricted.

14. On 19<sup>th</sup> March, in view of the wide spread cases reported from across the world, Central Government decided to stop all international flights with effect from 22<sup>nd</sup> March 2020 while duly allowing the in-transit flights to land. The said restrictions have now been extended till 14<sup>th</sup> April 2020.

15. Central Government took all steps required much ahead of what many other countries took subsequently with a view to protect people of our country. It may be pointed out that India started thermal screening of travellers / passengers even before the first case was reported in India while as per WHO Situation Report No. 67 dated 27<sup>th</sup> March, 2020, most of the other countries initiated thermal screening in stage II and stage III of the infection in their respective countries.

Similarly thermal screening was initiated at twelve major sea ports and sixty five minor sea ports across the country. Thermal screening of passengers was also initiated across the land borders.

16. A total of 15.25 lakh passengers were screened at the airports, 40,000 people were screened at the 12 major sea ports and 65 minor ports and 20 lakh people were screened at all land borders posts till the aforesaid date.

**COMMUNITY MONITORING:**

17. It is submitted that subsequent to thermal screening at the point of entry, the passengers are further monitored in the community through the “Integrated Disease Surveillance Programme” by the Ministry of Health, Central Government and this exercise was undertaken in cooperation with the State Governments. The passengers are further monitored for a period of twenty eight days through the said Integrated Disease Surveillance Programme in cooperation with State and District Surveillance officers. The passengers are risk profiled based on their travel history, contact history, age and comorbidities [presence of other existing health conditions / ailments] and monitored for their health status. Any person who becomes symptomatic even during the aforesaid period of 28 days, is immediately hospitalized and treated as per the well-defined medical protocol for management of Covid-19 disease.

The list of all passengers, as obtained from Bureau of Immigration, was sent to State Governments for monitoring those international passengers as per above medical protocol and Central Government monitored the same in collaboration with the State Governments.

So far a total of 3,48,000 passengers are brought under such medical / health monitoring as per such risk profile and symptomatic cases are hospitalized and treated.

**ENHANCEMENT OF LABORATORY CAPACITY:**

18. The Central Government has substantially enhanced the country's testing capacity for Covid-19 on a war footing from a single lab in January, 2020 at Pune to total 118 labs operational presently with adequate geographical distribution for testing with a capacity to undertake sampling of 15,000 tests per day.

Additionally, the Central government has already coordinated with 47 private laboratory chains who have more than 20,000 collection centres in the country which will be able to collect the sample for Covid-19 disease.

**COMMUNICATION OF RISK FACTORS AND PRECAUTIONS**

19. The Central Government has taken various initiatives to create awareness amongst general public on hand-hygiene, respiratory hygiene and environmental hygiene as a major preventive strategy. "Dos" and "Don'ts" have been communicated through various methods viz. print media, electronic media and social media. Various initiatives taken by Central Government related to Covid-19 management are briefed through daily press briefings by senior officers of Health Ministry along with other associated ministries. Authentic and requisite guidelines, advisories etc. are disseminated through the website of Ministry of Health, Government of India. A dedicated call centres / helplines have been started to guide community at large which are being used by the citizens very effectively and on a regular basis.

20. It is submitted that as narrated in subsequent part of this Status Report, deliberate or inadvertent fake news and / or material capable of causing serious panic in the mind of population is found to be a single most unmanageable hindrance in the management of this challenge.

The Central Government will be setting up a separate unit headed by a Joint Secretary level officer in the Ministry of Health and consisting of eminent specialist doctors from recognized institutions like AIIMS etc. to answer every query of citizens and to provide real-time and true facts keeping the response time in mind depending upon the contents of the query. The detailed modalities in this behalf would immediately be worked out and the details regarding the web portal which can be approached by citizens for true, genuine, scientific and correct factual position will be displayed immediately. Despite all efforts fake news / inaccurate news and panic material being circulated / telecast, whether knowingly or inadvertently, still remains a challenge even in difficult times like the present time.

#### **HEALTH SECTOR PREPAREDNESS:**

21. While international borders are closed, there is a need to ensure that this disease is contained domestically and we can prevent local transmission. It is important to act timely so as to prevent India getting in to stage III of community transmission.

In order to achieve this, several prompt steps are taken by the Central Government.

22. State Governments are asked to identify adequate isolation beds and ICU beds in existing Government hospitals as well as private hospitals. With a view to ensure that adequate hospital beds are available so as to ensure effective infection prevention, State Governments have been advised to develop dedicated Covid-19 hospitals or dedicated wards on a war footing. Several States have already initiated actions to change existing hospitals exclusively dedicated for the covid-19 treatment and to convert existing unoccupied “non-hospital buildings” into temporary Covid-19 hospitals.

The Central Government has also instructed all Central Ministries / Departments particularly, Defence, Railways, Paramilitary forces and Labour Ministry to create such dedicated Covid-19 blocks / hospitals. So far, in collective efforts of Central as well as State Governments, 1.35 lakh isolation beds have already been identified if such a need arises. Further, Rail wagons are being converted as isolation beds for patients by Ministry of Railways.

This number is also increasing as action is being initiated by State Governments and Central Ministries to create further additional facilities in case need so arises for utilising more such facilities. However, all out efforts are being made to ensure that such a need does not arise and further spread can be contained as far as possible.

23. The Central Government is extending all necessary support to all State Governments to fully equip such Covid-19 hospitals to ensure their readiness to accommodate patients, if and when required. The Central Government and State Governments are acting in harmony and are in touch on daily basis at different levels via video conferencing.

24. Necessary funds are provided to State Governments under “National Health Mission” and through “State Disaster Response Fund” for augmenting facilities for quarantine, to upgrade the hospitals infrastructure and procure required logistics such as personal protection equipment [PPEs], ventilators, N-95 masks etc.

The Central Government has already issued orders to purchase 40,000 ventilators to meet with contingencies, if they arise.

#### **SOCIAL DISTANCING/LOCKDOWN:**

25. An Expert Group has been constituted under Dr. Vinod Paul, Member, NITI Aayog to guide the prevention and control activities in



the country. It contains experts from cross sections of medical field and public health fraternity and consist of men of eminence in their respective fields.

26. The Expert Group has been advising the Government on containment measures to further check the community transmission. As guided by public health experts, who are part of this group and represent cross section of eminent experts, social distancing is a major intervention to break the chain of transmission of virus and, hence, its strict implementation is absolutely essential and mandatory.

27. Detailed Guidelines on social distancing measures were issued by the Central Government to all State Governments for its strict implementation on 16<sup>th</sup> March, 2020 and on 20<sup>th</sup> March, 2020 also.

28. It is submitted that as per the appeal of the Hon'ble Prime Minister of India, Janta Curfew was observed across the country on 22<sup>nd</sup> March, 2020 to promote voluntary social distancing as a measure to control Covid-19. All the citizens of the country voluntarily observed the same and conveyed their strong determination to deal with this global crisis by very maturely rising to the occasion.

29. It is further submitted that the Expert Group and the officials of the Ministry of Health were continuously monitoring the ground situation of spread / potential spread of Covid-19 in the country. It was found absolutely necessary that for a period of 21 days, the Central Government must declare lockdown so as to immediately arrest / contain any further spread. It may be relevant to note that prior to the declaration of national lockdown w.e.f. 25<sup>th</sup> March, 2020, some State Governments have already declared lockdown in their respective States based upon their assessment of the situations in their respective States.

30. It is respectfully submitted that India is a country which is densely populated and the population density ratio is also very high. Unlike other countries where a population is less and population density ratio is also less, it is very difficult to effectively use the voluntary social distancing as the only preventive measure. Considering the total incubation period of Covid-19, it was found medically desirable and advisable to declare a national lockdown to ensure complete social distancing and breaking the chain. This decision was taken after detailed and careful deliberations with the Expert Group and after considering all possible eventualities and options in detail. It was a necessity for taking an emergent measure even at the cost of some inconvenience in the larger public interest and to ensure that spread or potential spread of this global disease is immediately arrested / contained.

31. The Central Government had before it the examples of other countries who either did not respond the way Indian Government responded in advance or who were very late in declaring lockdown. All these facts, figures and strategies were also considered carefully and analysed scientifically before taking a decision of national lockdown from 25<sup>th</sup> March, 2020 till 14<sup>th</sup> April, 2020.

32. In view of the on-going efforts by the Central Government, presently the spread of COVID-19 in India is much slower than as has been observed in several other countries

The prompt measures, particularly social distancing and lockdown, have halted the spread of disease in the country so far. It is noted that as against India reporting 600 confirmed cases of Covid-19 in 55 days (since the first confirmed reported case), Spain reported 33000 cases and Italy reported 64000 cases in similar period of 55 days. It cannot be doubted that these measures were essential in the interest of general public and for ensuring health of citizens considering the global position where 29,957 lives are already lost so far globally.

33. An analysis of Rate of growth of confirmed cases of Covid-19 across various countries from 100<sup>th</sup> confirmed case onwards indicates that while India had 1071 confirmed case in 12 days, Canada had 3409 cases, South Korea had 5186 cases, USA had 6344 cases and Spain reported 7988 cases in similar period.

34. The challenge for management of Covid-19 is huge. It is pertinent to mention that as reported by WHO, a total of 6,34,835 confirmed cases of Covid-19 and 29,957 deaths have been reported across the world so far. The new confirmed cases and deaths reported during the day across the world as per the last report of WHO are 63,519 and 3,464 respectively. Developed countries like Italy which has much lesser population and population density ratio than India has reported 887 deaths in a single day. In view of the above, it is important that every possible step at every possible level needs to be taken with utmost seriousness.

35. It is submitted that the Central Government was fully conscious that during the period of an inevitable lockdown, no citizen should be deprived of basic amenities of food, drinking water, medication etc. The Central Government, therefore, worked out a financial package with a view to take care of such inevitable hardship. Under the “Pradhan Mantri Garib Kalyan Yojana”, a package totalling Rs.1.70 Lakh Crores has been announced.

36. It is respectfully submitted that under the aforesaid package, with a view to obviate any possibility of hardship being faced by poor people [including migrant labourers], 80 crore individuals i.e. roughly two-third of the India’s population is to be provided 5 kg of food grains [rice and wheat] and 1 kg of pulses free of cost every month for the next three months.

Under the very same package, 08 crore poor families will get one gas cylinder per month free of cost for next three months.

It is also decided that a total number of 20.40 crore women who are account holders under the Pradhan Mantri Jan Dhan Yojana shall be getting an ex gratia amount of Rs.500 per month for next three months.

37. It is further submitted that a separate financial support is made to low-wage earners in organised sectors. The low wage earners in such sectors who earn below Rs.15,000 per month and working in businesses having less than 100 workers, are provided with 24 per cent of their monthly wages into their Provident Fund accounts for the next three months.

38. It is further submitted that so far as construction workers are concerned [most of whom are migrant labourers], they will be provided financial assistance through “Welfare Fund for Building and Other Construction Workers”. This would cover 3.5 crore registered workers.

39. It is submitted that at this juncture that all State Governments have been required to utilize District Mineral Fund [DMF] for medical and other needs arising out of Covid-19.

Taking a holistic view of the entire global problem, health care workers i.e. Safai karamcharis, ward-boys, nurses, ASHA workers, paramedics, technicians, doctors and specialists and other health workers would be covered by a Special insurance Scheme. Under the said Scheme, while treating Covid-19 patients, if any health professional, meet with some accident, then he/she would be compensated with an amount of Rs 50 lakh. This scheme is especially for the health care workers who are working on the frontline.

40. It is submitted that in view of the aforesaid financial package which takes care of daily needs of every poor person, which include migrant workers as well as their respective families in their original

villages, there was no necessity for migration of workers to rush to their villages who started shifting from place of their occupation to the place of their residence. Their daily needs were being taken care of wherever they were working and the daily needs of their family members were being taken care of at their respective villages.

It is submitted that with a view to minimise the hardship of other sections of the society the Ministry of Finance as well as the Reserve Bank of India have already made public unprecedented decisions taken by them

41. However, unfortunately, due to some fake and / or misleading news / social media messages, a panic was created. At this juncture, only with a view to broadly bring to the notice of this Hon'ble Court, it may be pointed out that as per the last available census figures there are approximately 4.14 crore who have migrated for the purpose of work / employment. In other words, the aforesaid number of persons are those who are working elsewhere and not in their respective home towns or home villages. The present bare foot migration which has taken place consists of – on a very rough estimate - 5 to 6 lakhs persons across the country.

42. It is most important and crucial to point out at this juncture that this kind of migration by the migrant workers on their own in large numbers, defeats the very object of the preventive measures taken by the Central Government. It is submitted that the migrant workers travelling bare foot or otherwise in large numbers inevitably and unknowingly defy the social distancing norm which is one of the globally accepted norm for preventing Covid-19 and put their lives and lives of others in danger. Such group of persons in large number travelling together, if permitted to reach their home villages in rural India, then there is extreme and most likely possibility of their carrying Covid-19 infection in them in rural India and infecting the rural population of their respective village which has remained

untouched so far. For this apprehension resistance of many villages to permit such migrant workers to enter their villages is also reported.

43. So far, the rural India has remained safe from this infection. If migrant workers are permitted to conclude their journey, reach their home village and merge with rural population, there is a serious and imminent potential of the infection penetrating in rural India also. In such an eventuality, the epidemic which has already taken the form of a pandemic, would manifest itself in its still severe form making it unmanageable to contain. This migration, therefore, is not only dangerous for the migrant workers who have started on foot themselves but also for rural India for which they have started the journey.

The country is dealing with an unprecedented situation and any lapse at any end by anyone results in loss of precious human lives.

44. Under the aforesaid situation, with a view to initially disperse gathering of such migrant workers at the State borders, some State Governments did make arrangements for their travel by bus but eventually a final decision is taken not to permit further movement of such migrant workers and required them to stay wherever they have reached while providing for shelter, food and medical facilities to them while observing social distance norms.

45. The Central Government with a view to deal with this unforeseen development has already directed that provision of food packets can be made through various means including use of spare capacities of prison kitchen, mid-day meals vendors, IRCTC facilities etc. The Central Government and State Governments are also jointly coordinating with NGOs, religious organisations and companies [for their corporate social responsibility (CSR) measures] to deal with this situation and these en route migrant workers are provided with all

basic amenities, strategizing all resources from every quarter possible so that they do not penetrate into the rural area which so far has remained uninfected.

This is a question of general public importance and any movement of migrant workers being permitted would definitely cause a serious health hazards which can even lead to a life threatening situation for many.

46. Keeping these factors in mind, the Central Government, through the Ministry of Home Affairs, has issued directives / orders / advisories in the nature of directives to all State Governments to strictly comply with and enforce the lockdown for the specified period and follow social distancing norms which would mean complete prohibition of inter-district and inter-State migration of any population including the migrant workers who are *en route*.

47. It is time that all State Governments scrupulously, diligently and faithfully comply with all the directives / orders / advisories in the nature of directives in letter and spirit and do not permit any such internal movement in general public interest to deal with such an unprecedented situation of this magnitude.

48. It is submitted that the Government is seriously considering and will shortly implement a system whereby the panic in the minds of these migrant workers is addressed keeping in view the socio-psycho local issue and they are offered requisite counselling.

49. It is respectfully submitted that having the desirability and need to stop the migrant workers wherever they have reached, the Central Government has issued directions in exercise of powers under the Disaster Management Act, 2005.

It is submitted that the control room of the Central Government is working 24 hours. As per the details received by the control room today at 2.30 AM, 21064 relief camps have already been set up by

State Governments and Union Territories as per the directions of the Central Government in which they are providing food, shelter and medical facilities as per the requirements of migrant workers. Around 6,66,291 persons have been provided shelter; 22,88,279 persons have been provided food. These facilities are being provided for the poor and the destitute, for the stranded migrant workers, for workers who need access to food or for workers who have reached their destination but are required to be quarantined as per standard health protocol.

With a view to ensure supplies of essential commodities such food grains, salt, sugar, milk, fertilizers, petroleum products, coal etc., the Railways has loaded more than 3534 rakes in the last five days and the infrastructure is working on a war footing 24 hours a day and 7 days a week, which is being personally monitored at the highest political and executive level

50. It is also directed that those migrant workers who have moved and were due to reach their respective States / home towns, must be kept in the nearest shelter of respective States / home towns in a quarantine with proper screening of minimum period of 14 days as per the standard health protocol. With a view to ensure that there is no further problem faced by migrant workers and other poor sections of the society, directions are issued in exercise of powers under the Disaster Management Act, 2005 that all employers, be it in the industry or in the shops and / or other commercial establishments, shall make payment of wages to their workers at their work places on the due date without any deduction for the period of such establishments are under closure during the lockdown.

51. It is submitted that these directions issued under the Disaster Management Act are mandatory to be implemented for which the District Magistrate and Senior Superintendent of Police / Deputy Commissioner of Police of each District are made personally liable for strict compliance with such directions. They are also under a



mandate to enforce one more directive of the Central Government i.e. to ensure that the migrant workers and other poor people who are living in rented accommodation shall not be compelled to pay rent by their landlords. If any landlord flouts this direction, they shall be liable for action under the Disaster Management Act.

52. It is submitted that the Ministry of Home Affairs has also taken many immediate, timely, effective and proactive actions almost on daily basis. The Hon'ble Home Minister is personally supervising the implementation of various directives / advisories issued by the Home Ministry along with the Cabinet Secretary and the Home Secretary and Senior Officers in the control room which is operational for 24 hours. The steps taken by the Central Government through the Ministry of Home Affairs and other Ministries are elaborated hereunder:

#### **STEPS TAKEN BY THE CENTRAL GOVERNMENT**

- (I) With a view to give statutory backing for better implementation to advisories being issued by the MoH&FW, the National Executive Committee under the Chairmanship of Union Home Secretary on 11.03.2020 delegated its power to Secretary, Department of Health and Family Welfare to issue necessary directions to the State in terms of section 10(2) (i) and (l) of the Disaster Management Act, 2005.
- (II) With a view to augment funds with the State Governments for taking preventive and mitigation measures in respect of Corona virus, on 14.03.2020 Central Government made a special dispensation in the utilization of State Disaster Response Fund (SDRF). This Fund was made available for setting up quarantine facilities, sample collection and screening; setting up additional testing laboratories within the Government, cost of consumables, purchase of personal protection equipments for healthcare, municipal, police and

fire authorities, purchase of Thermal Scanners, ventilators, air purifiers, and consumables for Government hospitals.

- (III) With a view to check and sensitize people about harassment to North East region persons including athletes and sports persons, on 21.03.2020 Ministry of Home Affairs (MHA) issued an advisory to law enforcement agencies through the Chief Secretaries/ Director General of Police (DGPs) of all States Governments and UT Administrations.
- (IV) MHA issued an Advisory Dt. 21<sup>st</sup> March, 2020 and Advisory Dt. 22<sup>nd</sup> March, 2020 specifying precautionary measures to be taken at railway stations and other sensitive locations in the context of cancellation of railway train services due to 'Janta' Curfew.
- (V) MHA issued an Advisory Dt. 24<sup>th</sup> March, for ensuring unhindered movement of essential goods and services, setting up of Help lines in the State/UTs, appointment of nodal officers and protection to essential service providers, during COVID-19 lockdown.
- (VI) MHA issued an Advisory Dt. 24<sup>th</sup> March, 2020 to effectively address various types of Rumor Mongering.
- (VII) On an appeal made by the Prime Minister on 19<sup>th</sup> March in his address to the Nation, a 'Janta' curfew was observed wholeheartedly throughout the Country on 22<sup>nd</sup> March, 2020. People overwhelmingly expressed their gratitude to the frontline employees fighting the COVID-19 at 5.00 pm on the day of Janta Curfew by clapping, singing etc. from their homes.
- (VIII) With a view to contain the spread of corona virus in the community, on 22<sup>nd</sup> March, Government of India suspended mass transportation services i.e. metro and rail traffic and also domestic air traffic till 31<sup>st</sup> March.

- (IX) By 24<sup>th</sup> March most of the State and UT Governments by invoking the provisions of the Epidemic Diseases Act, 1897, Cr.PC, the Disaster Management Act, 2005, issued complete/partial lockdown orders.
- (X) While the above-mentioned steps were in the right direction, lack of uniformity in the measures adopted as well as in their implementation was not found to fully serve the objective of containing the spread of the virus. National Disaster Management Authority (NDMA) after assessing the situation and being satisfied, that the country is threatened by the spread of COVID-19, which has been declared as a pandemic by the World Health Organisation, decided that it is necessary to take effective measures to prevent its spread across the country. NDMA, in exercise of its powers under section 6(2)(i) of the Disaster Management Act, 2005, decided to direct Ministries/ Departments of Government of India, State Governments and State Authorities to take measures for ensuring social distancing so as to prevent the spread of COVID-19 in the country. Accordingly the Authority *vide* its Order dated 24.03.2020 directed the National Executive Committee (NEC) to issue necessary guidelines immediately in this regard under section 10(2)(l) of the Disaster Management Act, 2005. As the incubation period of Corona virus is for 14 days, it was directed that the lockdown measures shall remain in force for a period of twenty one days with effect from 25<sup>th</sup> March 2020.
- (XI) In furtherance to the directions of the aforesaid Order of NDMA, and in exercise of the powers, conferred under Section 10(2)(l) of the Disaster Management Act, Union Home Secretary, in his capacity as Chairperson, National Executive Committee, issued an Order dated 24.03.2020 with the directions to Ministries/ Departments of Government of India, State and UT Governments and State Authorities to take

effective lockdown measures across the country, as contained in the guidelines annexed to the Order, for ensuring social distance so as to prevent the spread of COVID-19 in the country. The Order came into force on 25<sup>th</sup> March for a period of 21 days.

- (XII) Keeping a close watch on the situation on the reported difficulties being faced in the movement of essential goods and services and to facilitate the ensuing harvesting, procurement and sowing operations of agriculture, a number of exceptions were allowed by the Central Government to the lockdown measures vide orders dated 25.03.2020 and 27.03.2020. The consolidated guidelines on the measures for containment of COVID-19 in the country are made available on the MHA Website for the convenience of citizens and enforcing agencies and are reproduced below:

- i. Offices of the Government of India, its Autonomous/ Subordinate Offices and Public Corporations shall remain closed.

*Exceptions:*

- a. Defence, central armed police forces.
- b. Treasury (including, Pay & Accounts Offices, Financial Advisers and field offices of the Controller General of Accounts, **with bare minimum staff**),
- c. Public utilities (including petroleum, CNG, LPG, PNG), power generation and transmission units, post offices.
- d. Disaster management and Early Warning Agencies
- e. National Informatics Centre.
- f. Customs clearance at ports/airports/land border, GSTN; and MCA 21 Registry **with bare minimum staff**.
- g. Reserve Bank of India and RBI regulated financial markets and entities like NPCI, CCIL, payment system

operators and standalone primary dealers **with bare minimum staff**.

- ii. Offices of the State/ Union Territory Governments, their Autonomous Bodies, Corporations, etc. shall remain closed.

*Exceptions:*

- a. Police, home guards, civil defence, fire and emergency services, disaster management, and prisons.
- b. District administration and Treasury (including field offices of the Accountant General **with bare minimum staff**)
- c. Electricity, water, sanitation.
- d. Municipal bodies—Only staff required for essential services like sanitation, personnel related to water supply etc.
- e. Resident Commissioner of States, in New Delhi **with bare minimum staff**, for coordinating Covid-19 related activities and internal kitchens operations.
- f. Forest offices :Staff/ workers required to operate and maintain zoo, nurseries, wildlife, firefighting in forests, watering plantations, patrolling and their necessary transport movement.
- g. Social Welfare Department, **with bare minimum staff**,for operations ofHomes for children/ disables/ senior citizens/ destitute/ women /widows; Observation homes; pensions.
- h. Agencies engaged in procurement of agriculture products, including MSP operations.
- i. 'Mandis' operated by the Agriculture Produce Market Committee or as notified by the State Government.

*The above offices (Sl. No 1 & 2) should work with minimum number of employees. All other offices may continue to work-from-home only.*

- iii. Hospitals, Veterinary Hospitals and all related medical establishments, including their manufacturing and distribution units, both in public and private sector, such as dispensaries, chemist, Pharmacies (including Jan Aushadhi Kendra) and medical equipment shops, laboratories, Pharmaceutical research labs, clinics, nursing homes, ambulance etc. will continue to remain functional. The transportation for all medical personnel, nurses, para-medical staff, other hospital support services be permitted.
- iv. Commercial and private establishments shall be closed down.

*Exceptions:*

- a. Shops, including ration shops (under PDS), dealing with food, groceries, fruits and vegetables, dairy and milk booths, meat and fish, animal fodder, fertilizers, seeds and pesticides. However, district authorities may encourage and facilitate home delivery to minimize the movement of individuals outside their homes.
- b. Banks, insurance offices, and ATMs including IT vendors for banking operations; Banking Correspondent and ATM operation and cash management agencies.
- c. Print and electronic media.
- d. Telecommunications, internet services, broadcasting and cable services. IT and IT enabled Services only (for essential services) and as far as possible to work from home.
- e. Delivery of all essential goods including food, pharmaceuticals, medical equipment through E-commerce.
- f. Petrol pumps, LPG, Petroleum and gas retail and storage outlets.
- g. Power generation, transmission and distribution units and services.

- h. Capital and debt market services as notified by the Securities and Exchange Board of India. Cold storage and warehousing services.
- i. Private security services.
- j. Farming operations by farmers and farm workers in the field.
- k. Data and call centers **for Government activities only**.
- l. 'Custom Hiring Centres (CHC)' related to farm machinery.

All other establishments may work-from-home only.

- v. Industrial Establishments will remain closed.

Exceptions:

- a. Manufacturing units of essential goods, including drugs, pharmaceutical, medical devices, their raw materials & intermediates.
- b. Production units, which require continuous process, after obtaining required permission from the State Government.
- c. Coal and mineral production, transportation, supply of explosives and activities incidental to mining operations.
- d. Manufacturing units of packaging material for food items, drugs, pharmaceutical and medical devices.
- e. Manufacturing and packaging units of Fertilizers, Pesticides and Seeds.

- vi. All transport services – air, rail, roadways – will remain suspended.

Exceptions:

- a. Transportation for essential goods only.
- b. Fire, law and order and emergency services.
- c. Operations of Railways, Airports and Seaports for cargo movement, relief and evacuation and their related operational organisations.

- d. Inter-state movement of goods/ cargo for inland and exports.
  - e. Cross land border movement of essential goods including petroleum products and LPG, food products, medical supplies.
  - f. Intra & Inter-state movement of harvesting and sowing related machines like combined harvester and other agriculture/horticulture implements.
- vii. Hospitality Services to remain suspended
- Exceptions:
- a. Hotels, homestays, lodges and motels, which are accommodating tourists and persons stranded due to lockdown, medical and emergency staff, air and sea crew.
  - b. Establishments used/ earmarked for quarantine facilities.
- viii. All educational, training, research, coaching institutions etc. shall remain closed.
- ix. All places of worship shall be closed for public. No religious congregations will be permitted, without any exception.
- x. All social/ political/ sports/ entertainment/ academic/ cultural/ religious functions / gatherings shall be barred.
- xi. In case of funerals, congregation of not more than twenty persons will be permitted.
- xii. All persons who have arrived into India after 15.02.2020, and 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,



failing which they will be liable to legal action under Sec. 188 of the IPC.

- xiii. Wherever exceptions to above containment measures have been allowed, the organisations/employers must ensure necessary precautions against COVID-19 virus, as well as social distance measures, as advised by the Health Department from time to time.
- xiv. In order to implement these containment measures, the District Magistrate 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.
- xv. All enforcing authorities to note that these strict restrictions fundamentally relate to movement of people, but not to that of essential goods.
- xvi. 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.
- xvii. 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 .

- (XIII) With a view to remove the difficulties being faced on the ground in the transportation of animal fodder; a clarification was issued by MHA On 26<sup>th</sup> March, 2020 that the transportation/ inter-state movement of animal feed and fodder, being the essential items, is covered under the exceptions from the lockdown measures.
- (XIV) Further for ensuring smooth supply of essential goods in all parts of the country, a detail Standard Operating Procedure (SOP) was also issued by MHA on 24.03.2020 to all State/ UT Governments. In the SOP detailed procedure has been laid down to ensure hassle free movement of essential goods and all facilities in their supply chain involved in manufacturing, wholesale or retail of such goods through local stores, e-Commerce companies by ensuring social distancing.
- (XV) Central Government is sensitive to the need for providing food and shelter to homeless people including migrant laborers, who are stranded due to lockdown measures. Accordingly on 28.03.2020, the Central Government allowed the States Governments to use Disaster Response Fund for this purpose.
- (XVI) MHA issued an Advisory Dt. 27<sup>th</sup> March, 2020 regarding a large number of migrant agricultural labourers, industrial workers and other unorganized sector workers etc. who are being forced to return to their domicile states or are trying to do so. Considering the overall scenario including prevention of spread of COVID 19 and lack of transportation facilities, States and UT Governments were advised to:
- a. Ensure that such incidents are avoided, through strict measures by handling the situation urgently and sensitively

to stem their exodus from their existing locations, as also to prevent any disruption to law and order.

- b. To immediately explore options for providing shelters rigorously through existing infrastructure etc..
- c. As shelter might be needed for for a longer period, hence, requirements for drinking water, sanitation, common kitchen, storage etc in the shelters, may also be kept in mind.
- d. Provision of food packets to the vulnerable groups can be explored through various means including spare capacities in prison kitchens, NGOs (including large scale meal providers such as mid-day meal scheme vendors), IRCTC facilities, religious organizations, CSR efforts etc. after examining their suitability.
- e. Measures taken by Government including provision of free food grains and other essential items through the public distribution system to be brought to their notice and its distribution streamlined.
- f. Similarly, steps to be taken to ensure that other categories such as students, working women hostel inmates etc. are also allowed to continue in their existing facilities with all precautions. It is necessary that hotels, rented accommodation etc. continue to remain open and functional and delivery of essential services be streamlined.

(XVII) MHA issued an Advisory dated 28<sup>th</sup> March, 2020 while reiterating the advisory issued on 27<sup>th</sup> March on making adequate arrangements for migrants, it was conveyed that the information in this regard is disseminated effectively to these vulnerable groups so that they get a sense of security. It was advised that:

- a. Public address systems and all other means of communication, including through volunteers, NGOs and technology, should be extensively used to disseminate

precise information on the location of the relief camps and the facilities being made available, in their language.

- b. They may also be made aware of the relief package under the Pradhan Mantri Garib Kalyan Yojana and measures being taken by the State Government/ UT Administration. This will stem their flow and encourage people to desist from moving.
- c. As some people are moving on highways, setting up of tented accommodation could also be considered along the highways, so that they can easily move into these shelters.
- d. While setting up temporary shelters, care must be taken to ensure that these persons will stay in the relief camps till the lockdown orders are in place.
- e. The shelters are to be organised, keeping in view various precautions including social distancing.
- f. Medical check up drives should also be conducted in these camps in order to separate cases requiring quarantine or hospitalisation.
- g. 8. NDMA conducted a number of meetings with members of the civil society and Non-governmental organisations with a view to enlist their support for vulnerable groups of the society.

(XVIII) On 28<sup>th</sup> March, NDMA has also issued an advisory detailing out the role of State and District Disaster Management Authorities (SDMA/DDMA) in handling COVID19 pandemic. A number of measures were suggested such as functioning of State and District Emergency Operation Centers for flow of information, inter agency coordination, community awareness, proactive planning, coordination with NGOs, coordination with industry, coordination with neighboring States, to deal with issues relating to migrant workers and stranded tourists, recommendation for police and administration to adopt humane approach in dealing with

public, particularly those who are left adrift by the lockdown and to interpret the lockdown restrictions with compassion and a sense of duty of care for the citizens.

(XIX) Taking note of the movement of labourers/ pilgrims, on 29<sup>th</sup> March, another advisory was issued by NDMA informing the State and UT Governments to ensure that the basic objective of the national social distancing is not defeated. They were advised to take a number of measures in respect of those migrant labourers/pilgrims who have already arrived from various parts of the country to their states, in order to reduce risk of virus transmission. District administration was advised to use public address system for communication of various steps that have been taken by the administration for their welfare and regarding Dos and Don'ts to be followed; medical personnel to be deployed to conduct proper screening of the arriving persons; those without any symptoms to be sent to quarantine facilities after clearly explaining to them the risk of going to their home; administration to follow NDMA guidelines for setting up temporary shelters by treating these persons as disaster affected persons and by maintaining physical distance of one metre between persons; high risk persons to be dealt with as required as per their medical conditions; a firm system of tracking the well being of all these migrants must be put in place , while taking care to avoid stigma or ill feeling. It was also directed that no more migration be permitted and existing lockdown measure be implemented strictly so as to avoid the risk of community spread of corona virus.

(XX) Cabinet Secretary held Video Conference meetings with the Chief Secretaries and DGPs on 28<sup>th</sup> and 29<sup>th</sup> March, 2020 to take stock of the situation and directed States/UTs for enforcing strict implementation of lockdown and maintain

availability of essential supplies. Keeping in view the exodus due to movement of migrant workers in some parts of the country, they were directed that district and state borders should be effectively sealed and States were directed to ensure no movement of people across cities or highways takes place and that adequate arrangements of food and shelters for poor and needy people, including migrant labourers, be made at the place of their work.

- (XXI) In order to remove any ambiguity in the lockdown measures, the Central Government issued further clarifications on 29.03.2020 all State/UT Governments to the effect that :
- a. Consolidated guidelines on lockdown measure, by incorporating changes made through the two Addendums, to the Order dated 24.03.2020 has been available at MHA Website.
  - b. With the issue of 1<sup>st</sup> addendum, transportation of all goods, without distinction of essential and non-essential, have been allowed.
  - c. 'Pension' under exemptions to clause 2(g), include pension and provident fund services provided by Employees Provident Fund Organisation (EPFO).
  - d. Services of Indian Red Cross Society are also included under clause 3.
  - e. Groceries include hygiene products such as hand washes, soaps, disinfectants, body wash, shampoos, surface cleaners, detergents and tissue papers, toothpaste / oral care, sanitary pads and diapers, battery cells, chargers etc.
  - f. Entire supply chain of milk collection and distribution, including its packaging material is allowed.
  - g. Newspaper delivery supply chain is also allowed under print media.
  - h. That the Central Government has also allowed use of SDRF for homeless people, including migrant labourers, stranded

due to lockdown measures, and sheltered in the relief camps and other places for providing them food etc., for the containment of spread of Covid-19 virus in the country.

(XXII) Despite having issued comprehensive guidelines, clarifications and making disaster funds available for setting up shelters for migrant workers; movement of large number of migrants in some parts of the country was noticed. Therefore to deal with the situation and for effective implementation of the lockdown measures, and to mitigate the economic hardship of the migrant workers, in exercise of the powers, conferred under Section 10(2)(l) of the Disaster Management Act 2005, Union Home Secretary, in the capacity as Chairperson, National Executive Committee, issued an Order with the directions to the State/Union Territory Governments and State/ Union Territory Authorities to take necessary action and to issue necessary orders to their District Magistrate/ Deputy Commissioner and Senior Superintendent of Police/ Superintendent of Police/ Deputy Commissioner of Police, to take following additional measures:

- i. State/Union Territory Governments shall ensure adequate arrangements of temporary shelters, and provision of food etc. for the poor and needy people, including migrant labourers, stranded due to lockdown measures in their respective areas;
- ii. The migrant people, who have moved out to reach their home states/ home towns, must be kept in the nearest shelter by the respective State/Union Territory Government quarantine facilities after proper screening for a minimum period of 14 days as per standard health protocol;
- iii. All the employers, be it in the Industry or in the shops and commercial establishments, shall make payment of wages of their workers, at their work places, on the due date,

without any deduction, for the period their establishments are under closure during the lockdown;

- iv. Where ever the workers, including the migrants, are living in rented accommodation, the landlords of those properties shall not demand payment of rent for a period of one month.
- v. If any landlord is forcing labourers and students to vacate their premises, they will be liable for action under the Act.

It was further directed in the Order that in case of violation of any of the above measures, the respective State/UT Government, shall take necessary action under the Act. The District Magistrate/ Deputy Commissioner and Senior Superintendent of Police/ Superintendent of Police/ Deputy Commissioner of Police will be personally liable for implementation of the above directions and lockdown Orders issued by MHA.

(XXIII) As per available information through MHA Control Room, States and UTs have set up 21,064 relief camps in which they are providing food/ shelter as per requirement. Around 6,66,291 persons have been provided shelter. 22, 88, 279 persons have been provided food. These facilities are being provided for the poor and the destitute, for the stranded migrant workers, for workers who need access to food or for workers who have reached their destination but are required to be quarantined as per standard health protocol.

(XXIV) Steps taken by MHA to further strengthen its Control Room during the lockdown period

- i. Control Room operations in MHA was expanded by making its functioning 24\*7 under the supervision of Joint Secretaries along with representatives of key Central Ministries. It collects status reports daily from the States/UT Governments, attends to the queries of States/UTs or other Ministries on NDMA/MHA



lockdown measures, addresses inter-Ministry and inter-state coordination issues etc. .

- ii. States/UTs have been assigned to a number of Additional Secretaries and Joint Secretaries of MHA for coordination with States and UTs and to resolve their issues, related to Disaster Management, Orders and instructions issued by Central Government, utilization of disaster funds, movement of essential goods etc. in consultation with the Nodal Officers of the State/UT Governments.
- iii. Additional Contingency Teams have been identified to ensure that MHA Central Control Room operates seamlessly.
- iv. WhatsApp groups of Secretaries of GOI; Chief Secretaries and Home Secretaries of States and UTs working 24\*7 for smooth coordination at the ground level and immediate dissemination of information.

(XXV) Other Measures taken by the Central Government

- I. Cabinet Secretary is holding regular meetings of Committee of Secretaries on almost daily basis and has also held a number of VC meetings with Chief Secretaries, DGPs and Health Secretaries of States/UTs to review the status and to inform them the decisions of the Government.
- II. A number of quarantine and isolation facilities have been set up by organizations under the Ministries of Home Affairs, Defence, Health, Labour, and others.
- III. Ministry of Railways has converted its 637 coaches across 17 different zones into Covid-19 quarantine wards with medical facilities and the provisions of 24\*7 electric supply and food
- IV. In order to ensure supply of essential supplies of commodities such as fruits and vegetables, sugar, salt, coal, petroleum

products , etc., the Ministry of Railways has loaded more than 3435 racks during last five days.

V. Department of Pharmaceuticals, is arranging various essential pharmaceutical items, masks, ventilators, sanitizers, PPEs etc.

The actions taken are as under:

- a. On 13th March, keeping in view that surgical masks, N95 masks and hand sanitizers are being available at great difficulty or at exorbitant prices, the Central Government declared these items as essential commodities by amending the Schedule of the Essential Commodities Act 1955.
- b. To ensure continuous availability of drugs and medical devices all across the country, regular meetings have been with the Drug manufacturer Associations, Chemists and Pharmacist Associations, Medical equipment manufacturers including ventilator manufacturers and automobile manufacturers for ramping up the production of ventilators.
- c. A High level Committee was formed to handle the issues of logistics of essential services throughout India, such as import clearances, air/road/sea transport, issues of carrier movements etc.
- d. A Control Room (No. 011-23389840) has been set up in the Department on 28.03.2020 for handling logistics related issues of industry engaged in providing essential services.
- e. Secretary, Pharmaceuticals vide DO letter dated 23.03.2020 requested all State Governments to direct the concerned state authorities for issuance of passes so as to facilitate movements of workers engaged in essential services.

- f. Department is in constant touch with manufacturers of the said items and their importers so that quick availability can be made to health workers of states and central hospitals.
- g. In addition, the National Pharmaceutical Pricing Authority (NPPA) under Dept. of Pharmaceuticals has also taken a number of steps as under:
  - i. State Drug Controllers have been nominated as Nodal Officers for NPPA and have been directed to liaise with the District authorities for redressal of their complaints.
  - ii. On 20.02.2020 State Governments were advised to closely monitor availability of drugs in view of COVID-19 outbreak.
  - iii. On 26.03.2020 State Governments were advised to ensure unobstructed movement of raw material, packing material, finished products and manpower related to manufacturing and distribution of drugs and medical devices.
  - iv. The list of manufacturers of Masks, Gloves and Sanitizers shared with Chief Secretaries and State Drug Controllers of all State/UTs on 28.03.2020.
  - v. Meeting with Pharmaceutical Industry Associations, Medical Devices Industry Associations and various stakeholders like ICMR, CDSCO and drug manufacturers was held on 25/03/2020 on the issue of drug availability related with COVID-19.
  - vi. Manufacturers of Lopinavir & Ritonavir (FDC 200+50 mg), on 26/03/2020, were directed to maintain reserve stock of 2.2 crore tablets at any point of time.

- VI. Ministry of Civil Aviation and Air Force are providing air transport for medicines, testing kits and other essential commodities to States/UTS.
- VII. **COVID -19 Economic Response Task Force:** To deal with the economic challenges caused by the pandemic, the Central Government constituted 'COVID-19 Economic Response Task Force' under the Union Finance Minister. The Task Force will consult stakeholders, take feedback, on the basis of which decisions will be taken to meet the challenges. The Task Force will also ensure implementation of the decisions taken to meet these challenges.
- VIII. **PM CARES Fund:** Keeping in mind the need for having a dedicated national fund with the primary objective of dealing with any kind of emergency or distress situation, like posed by the COVID-19 pandemic, and to provide relief to the affected, a public charitable trust under the name of 'Prime Minister's Citizen Assistance and Relief in Emergency Situations Fund' (PM CARES Fund)' has been set up. Prime Minister is the Chairman of this trust and its Members include Defence Minister, Home Minister and Finance Minister.
- IX. **Central Government announced Rs 1.70 Lakh Crore relief package under Pradhan Mantri Garib Kalyan Yojana** for the poor people to help them fight the battle against Corona Virus. The salient features of the package are:
- i. Insurance cover of Rs 50 Lakh per health worker fighting COVID-19 will be provided under the Insurance Scheme.
  - ii. 80 crore poor people will be provided 5 kg wheat or rice and 1 kg of preferred pulses, free of cost, every month for the next three months.

- iii. 20 crore women Jan Dhan account holders will be given cash assistance of Rs 500 per month per person for next three months.
  - iv. 8 crore poor families registered under the scheme of Ujjwala will get 1 Gas cylinder, per family, per month free of cost for the next three months.
  - v. MNREGA wage to be increased Rs 202 a day from Rs 182, which will benefit 13.62 crore families.
  - vi. An ex-gratia financial assistance of Rs 1,000 per person will be given to 3 crore poor senior citizen, poor widows and poor disabled.
  - vii. Government will front-load Rs 2,000 to farmers in first week of April under the existing PM Kisan Yojana to benefit 8.7 crore farmers.
  - viii. Wage-earners earning below Rs 15,000 per month in businesses having less than 100 workers, would be given 24 percent of their monthly wages into their PF accounts, per person, per month for next three months.
  - ix. Central Government has given orders to State Governments to use Building and Construction Workers Welfare Fund to provide relief to Construction Workers and support to 3.5 Crore registered workers.
- X. NDMA has also been interacting with the State Governments through field visits, meetings and video conferences since the first week of February on various aspects of containing Covid-19.

53. In light of the aforesaid facts placed for consideration of this Hon'ble Court, the Central Government wishes to reiterate that world and our country is dealing with a highly infectious disease about which not much is known. This disease, because of its very nature and the consequence to the affected persons has threatened the world at large. So far, because of the pre-emptive and pro-active steps taken, India has been able to contain its spread.

54. It is in the larger public interest, in general interest of the public and in the interest of public health that all State Governments and Union Territories strictly comply with all the directives of the Central Government whether termed as directive, order or advisories.

It is respectfully submitted that irrespective of the nomenclature given, all these instructions are in the nature of binding directives and failure to comply with any one of these, either fully or partially, invite action in accordance with the law.

55. It is in the larger interest of the nation that this Hon'ble Court, as a constitutional court of the country directs that all State Governments and Union Territories must implement all directives issued by the Central Government [irrespective of the nomenclature used] in letter and spirit.

56. In an unprecedented situation of this nature, any deliberate or unintended fake or inaccurate reporting either in electronic, print or social medial and, particularly, in web portals has a serious and inevitable potential of causing panic in large sections of the society. Considering the very nature of the infectious disease which the world is struggling to deal with, any panic reaction by any section of the society based upon such reporting would not only be harmful for such section but would harm the entire nation. It is, therefore, in the larger interest of justice that when this Hon'ble Court has taken cognizance, this Hon'ble Court is pleased to issue a direction that no electronic / print media / web portal or social media shall print / publish or telecast anything without first ascertaining the true factual position from the separate mechanism provided by the Central Government as stated hereinabove.

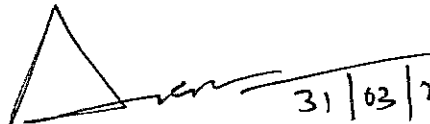
It is submitted that such an act of creating panic is also a criminal offence under the Disaster Management Act, 2005.

However, an appropriate direction from this Hon'ble Court would protect the country from any potential and inevitable consequence resulting from a false alarm having the potential of creating panic in a section of the society.

[Note : Relevant documents referred in this Status Report are annexed herewith as separate compilation of annexures]

Signed by :

Dated : 31<sup>st</sup> March, 2020

  
31/03/2020  
**AJAY KUMAR BHALLA, IAS**  
HOME SECRETARY  
GOVERNMENT OF INDIA  
NEW DELHI