

EXTRAORDINARY

REGD. NO. JK 33



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 132] Jammu, Mon., the 16th March, 2020/26th Phal., 1941. [No. 50-b

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATô HEALTH AND MEDICAL
EDUCATION DEPARTMENT

Notification

Jammu, the 16th March, 2020.

S. O.-104.ô In exercise of the powers conferred by section 2 of the Epidemic Diseases Act, 1897 (Act. No. 3 of 1897), the Lieutenant Governor hereby makes the following regulations ; namely :ô

1. *Short title, extent and commencement* :ô

- (i) These regulations may be called the Jammu and Kashmir Epidemic Disease (COVID-19) Regulations, 2020 ;
- (ii) They shall extend to whole of the Union Territory of Jammu and Kashmir ;

- (iii) They shall come into force from the date of publication of the notification in the Official Gazette.

2. *Definitions.* In these regulation unless the contest otherwise requires,

- (a) "Epidemic Disease" means COVID-19 ;
- (b) "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 ;
- (c) "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 ;
- (d) "Home Quarantine" means confining a person suspected to be 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 ;
- (e) "Institutional Quarantine Facility" means any facility declared by the Director Health Services, Jammu/Kashmir for the purpose of quarantine of suspected/probable cases of COVID-19 ;
- (f) "Isolation Facility" means any facility declared by the Director Health Services, Jammu/Kashmir for the purpose of isolation of confirmed cases of COVID-19 ;
- (g) "Order" means any instruction(s) or order(s) issued by the concerned District Magistrate/Additional District Magistrate/

(h) ~~District Surveillance Unit~~ means any unit or office notified as such by the Government or any of its functionaries.

(i) If there are sufficient reasons, cause or information to suspect or believe that any person(s) could be infected with COVID-19 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 COVID-19, 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

4. *Duties of Medical Officers and Practitioners.* It shall be mandatory for Medical Officers in Government Health Institutions

4 The J&K Govt. Gazette, 16th Mar., 2020/26th. Phal., 1941.. [No. 50-b
and registered Private Medical Practitioners, including AYUSH
practitioners, to notify such person(s) to the concerned District
Surveillance Unit, along with duly filled up selfdeclaration forms, who,
within their knowledge, are having travel history to COVID-19 affected
countries as per the extent guidelines and are having complaints of fever
or cough or respiratory difficulty or even without any signs and symptoms
of the Epidemic disease.

5. *Enforcement.* If the owner or occupier(s) of any premises or
any individual suspected/confirmed with COVID-19, refuses to take
measures for prevention or treatment i. e. Home quarantine/Institutional
Quarantine/Isolation or any such persons 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.

6. *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 authority under
these regulations, shall be deemed to have committed an offence under
section 188 of the Indian Penal Code, 1860 (45 of 1860).

By order of the Lieutenant Governor.

(Sd.) ATAL DULLOO, IAS,

Financial Commissioner,
Health and Medical Education Department.