



GUJARAT HIGH COURT ADVOCATES' ASSOCIATION

1st Floor, Advocate Chamber's Building, High Court Campus, Ahmedabad-60.
Phone : (079) 27663802 E-mail : ghaa1960@gmail.com Web : www.ghaa.in

President

Yatin N. Oza
M. : +91 98250 05256

Vice President

Prithviraj A. Jadeja
M. : +91 98257 80750

Secretary

Hardik D. Brahmhatt
M. : +91 98241 25353

Joint Secretary

Ami K. Patel
M. : +91 97129 52702

Treasurer

Savan N. Pandya
M. : +91 97230 32555

To,
Shri Ashish Bhatia,
Police Commissioner, Ahmedabad City,
Shahibaugh,
Ahmedabad - 38004

Date: 15/04/2020

Subject: To permit the Advocate to commute from their residence to offices.

Dear sir,

Kindly refer to the Notification No. 40-3/2020-DM-I(A), dated 15th April 2020 (relevant part of the notification enclosed herewith), issued by the Ministry of Home Affairs, Government of India, wherein a categorical provision has been made in Para 14 (xi), allowing the self-employed persons to carry on their routine activities. Though the Notification mentions e.g. electricians, IT repairs, plumbers, motor mechanics, and carpenters, which does not include advocates, the list is clearly illustrative and not exhaustive. That the intention of the notification is to permit all the self employed persons to resume the work, which in my humble opinion include advocates.

Therefore, in view of what is stated hereinabove, I request you to issue necessary instructions to the police force under your command, to permit the advocates to commute between their residence and office, on verification of I-card;

As far as advocates practicing in the Gujarat High Court are concerned, I can say that the Bar Association (GHCAA), has issued an identity card to all the Registered Advocates, which may be considered as sufficient proof of an advocate practicing in the High Court. For other advocates practicing in other courts, the Bar Council of Gujarat has issued identity cards, which may be considered as a proof of a person practicing as an advocate.

Therefore, you may kindly issue necessary instructions as requested above at the earliest.

Thanking you,

Yatin Oza,
Senior Advocate,
President GHAA

Enclosure:

- Relevant part of MHA Notification No. 40-3/2020-DM-I(A), dated 15th April 2020,

Committee Members

Darshan A. Dave	Punambhai G. Gadhave	Hardikkumar K. Raval	Himanshi R. Balodi	Falguni D. Trivedi	Akash J. Pandya	Kishan R. Chakrawala	Chirag A. Prajapati	Jolly N. Shah	Dipika P. Bajpai
+91 94294 44449	+91 99251 92257	+91 99796 87082	+91 83063 53708	+91 98981 31543	+91 97243 00130	+91 98250 47071	+91 84606 86320	+91 98245 48457	+91 95868 40927

No. 40-3/2020-DM-I(A)
Government of India
Ministry of Home Affairs

North Block, New Delhi-110001
Dated 15th April, 2020

ORDER

Whereas, in exercise of the powers, conferred under Section 10(2)(I) of the Disaster Management Act 2005, the undersigned, in his capacity as Chairperson, National Executive Committee, has issued an Order dated 14th April, 2020 that the lockdown measures stipulated in the Consolidated Guidelines of Ministry of Home Affairs (MHA) for containment of COVID-19 epidemic in the country, will continue to remain in force upto 3rd May, 2020 to contain the spread of COVID-19 in the country;

Whereas, to mitigate hardship to the public, select additional activities will be allowed, which will come into effect from 20th April, 2020. However, these additional activities will be operationalized by States/ Union Territories (UTs)/ District Administrations based on strict compliance to the existing guidelines on lockdown measures. Before operating these relaxations, States/ UTs/ District Administrations shall ensure that all preparatory arrangements with regard to social distancing in offices, workplaces, factories and establishments, as also other sectoral requirements are in place. The consolidated revised guidelines incorporating these relaxations are enclosed;

Whereas, the consolidated revised guidelines will not apply in containment zones, as demarcated by States/ UTs/ District administrations. If any new area is included in the category of a containment zone, the activities allowed in that area till the time of its categorization as a containment zone, will be suspended except for those activities as are specifically permitted under the guidelines of Ministry of Health and Family Welfare (MoHFW), Government of India;

Whereas, in exercise of the powers, conferred under Section 10(2)(I) of the Disaster Management Act, 2005, the undersigned, in his capacity as Chairperson, National Executive Committee, hereby issues directions to all the all Ministries/ Departments of Government of India, State/Union Territory Governments and State/Union Territory Authorities for the strict implementation of enclosed consolidated revised guidelines.


Union Home Secretary

To:

1. The Secretaries of Ministries/ Departments of Government of India
2. The Chief Secretaries/Administrators of States/Union Territories
(As per list attached)

Copy to:

- i. All members of the National Executive Committee.
- ii. Member Secretary, National Disaster Management Authority.



Consolidated Revised Guidelines on the measures to be taken by Ministries/ Departments of Government of India, State/ UT Governments and State/ UT authorities for containment of COVID-19 in the country

[As per Ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-I (A) dated 15th April, 2020]

1. With the extension of the lockdown period, the following activities will continue to remain prohibited across the country until 3rd May, 2020:

- i. All domestic and international air travel of passengers, except for purposes enumerated in para 4 (ix), and for security purposes.
- ii. All passenger movement by trains, except for security purposes.
- iii. Buses for public transport.
- iv. Metro rail services.
- v. Inter-district and inter-State movement of individuals except for medical reasons or for activities permitted under these guidelines.
- vi. All educational, training, coaching institutions etc. shall remain closed.
- vii. All industrial and commercial activities other than those specifically permitted under these guidelines.
- viii. Hospitality services other than those specifically permitted under these guidelines.
- ix. Taxis (including auto rickshaws and cycle rickshaws) and services of cab aggregators.
- x. All cinema halls, malls, shopping complexes, gymnasiums, sports complexes, swimming pools, entertainment parks, theatres, bars and auditoriums, assembly halls and similar places.
- xi. All social/ political/ sports/ entertainment/ academic/ cultural/ religious functions/ other gatherings.
- xii. All religious places/ places of worship shall be closed for public. Religious congregations are strictly prohibited.
- xiii. In case of funerals, congregation of more than twenty persons will not be permitted.

2. Operation of guidelines in Hotspots and containment zones

- i. 'Hotspots', i.e., areas of large COVID-19 outbreaks, or clusters with significant spread of COVID-19, will be determined as per the guidelines issued by Ministry of Health and Family Welfare (MoHFW), Government of India (GoI).
- ii. In these hotspots, containment zones will be demarcated by States/ UTs/ District administrations as per the guidelines of MoHFW.
- iii. In these containment zones, the activities allowed under these guidelines will not be permitted. There shall be strict perimeter control in the area of the containment zones to ensure that there is no unchecked inward/ outward movement of population from these zones except for maintaining essential services (including medical emergencies and law and order related duties) and Government business continuity. The guidelines issued in this regard by MoHFW will be strictly implemented by State/ UT Governments and the local district authorities.



3. Select permitted activities allowed with effect from 20th May, 2020:

- i. To mitigate hardship to the public, select additional activities have been allowed which will come into effect from 20th April, 2020. These limited exemptions will be operationalized by States/ UTs/ district administrations based on strict compliance to the existing guidelines. Also, before allowing these select additional activities, States/ UTs/ district administrations shall ensure that all preparatory arrangements with regard to the Standard Operating Procedures (SOPs) for social distancing in offices, workplaces, factories and establishments, as also other sectoral requirements are in place.
- ii. The consolidated revised guidelines incorporating these select permitted activities have been enumerated in paras 5-20 below.

4. Strict enforcement of the lockdown guidelines

- i. State/ UT Governments shall not dilute these guidelines issued under the Disaster Management Act, 2005, in any manner, and shall strictly enforce the same.
- ii. State/ UT Governments, may, however, impose stricter measures than these guidelines as per requirement of the local areas.

5. All health services (including AYUSH) to remain functional, such as:

- i. Hospitals, nursing homes, clinics, telemedicine facilities.
- ii. Dispensaries, chemists, pharmacies, all kinds of medicine shops including *Jan Aushadhi Kendras* and medical equipment shops.
- iii. Medical laboratories and collection centres.
- iv. Pharmaceutical and medical research labs, institutions carrying out COVID-19 related research.
- v. Veterinary Hospitals, dispensaries, clinics, pathology labs, sale and supply of vaccine and medicine.
- vi. Authorised private establishments, which support the provisioning of essential services, or efforts for containment of COVID-19, including home care providers, diagnostics, supply chain firms serving hospitals.
- vii. Manufacturing units of drugs, pharmaceuticals, medical devices, medical oxygen, their packaging material, raw material and intermediates.
- viii. Construction of medical/ health infrastructure including manufacture of ambulances.
- ix. Movement (inter and intra State, including by air) of all medical and veterinary personnel, scientists, nurses, para-medical staff, lab technicians, mid-wives and other hospital support services, including ambulances.

6. Agricultural and related activities:

A. All agricultural and horticultural activities to remain fully functional, such as:

- i. Farming operations by farmers and farm workers in field.
- ii. Agencies engaged in procurement of agriculture products, including MSP operations.
- iii. 'Mandis' operated by the Agriculture Produce Market Committee (APMC) or as notified by the State/ UT Government (e.g., satellite *mandis*). Direct marketing operations by the State/ UT Government or by industry, directly

from farmers/ group of farmers, FPOs' co-operatives etc. States/ UTs may promote decentralized marketing and procurement at village level.

- iv. Shops of agriculture machinery, its spare parts (including its supply chain) and repairs to remain open.
- v. 'Custom Hiring Centres (CHC)' related to farm machinery.
- vi. Manufacturing, distribution and retail of fertilizers, pesticides and seeds.
- vii. Movement (inter and intra State) of harvesting and sowing related machines like combined harvester and other agriculture/ horticulture implements.

B. Fisheries - the following activities will be functional:

- i. Operations of the fishing (**marine and inland**)/ aquaculture industry, including feeding & maintenance, harvesting, processing, packaging, cold chain, sale and marketing.
- ii. Hatcheries, feed plants, commercial aquaria.
- iii. Movement of fish/ shrimp and fish products, fish seed/ feed and workers for all these activities.

C. Plantations- the following activities will be functional:

- i. Operations of tea, coffee and rubber plantations, with maximum of 50% workers.
- ii. Processing, packaging, sale and marketing of tea, coffee, rubber and cashew, with maximum of 50% workers.

D. Animal husbandry – the following activities will be functional:

- i. Collection, processing, distribution and sale of milk and milk products by milk processing plants, including transport and supply chain.
- ii. Operation of animal husbandry farms including poultry farms & hatcheries and livestock farming activity.
- iii. Animal feed manufacturing and feed plants, including supply of raw material, such as maize and soya.
- iv. Operation of animal shelter homes, including *Gaushalas*.

7. Financial sector: following to remain functional:

- i. Reserve Bank of India (RBI) and RBI regulated financial markets and entities like NPCI, CCIL, payment system operators and standalone primary dealers.
- ii. Bank branches and ATMs, IT vendors for banking operations, Banking Correspondents (BCs), ATM operation and cash management agencies.
 - a. Bank branches be allowed to work as per normal working hours till disbursement of DBT cash transfers is complete.
 - b. Local administration to provide adequate security personnel at bank branches and BCs to maintain social distancing, law and order and staggering of account holders.
- iii. SEBI, and capital and debt market services as notified by the Securities and Exchange Board of India (SEBI).
- iv. IRDAI and Insurance companies.



8. Social sector: following to remain functional:

- i. Operation of homes for children/ disabled/ mentally challenged/ senior citizens/ destitutes/ women/ widows.
- ii. Observation homes, after care homes and places of safety for juveniles.
- iii. Disbursement of social security pensions, e.g., old age/ widow/ freedom fighter pensions; pension and provident fund services provided by Employees Provident Fund Organisation (EPFO).
- iv. Operation of *Anganwadis* – distribution of food items and nutrition once in 15 days at the doorsteps of beneficiaries, e.g., children, women and lactating mothers. Beneficiaries will not attend the *Anganwadis*.

9. Online teaching/ distance learning to be encouraged:

- i. All educational, training, coaching institutions etc. shall remain closed.
- ii. However, these establishments are expected to maintain the academic schedule through online teaching.
- iii. Maximum use of Doordarshan (DD) and other educational channels may be made for teaching purposes.

10. MNREGA works to be allowed:

- i. MNREGA works are allowed with strict implementation of social distancing and face mask.
- ii. Priority to be given under MNREGA to irrigation and water conservation works.
- iii. Other Central and State sector schemes in irrigation and water conservation sectors may also be allowed to be implemented and suitably dovetailed with MNREGA works.

11. Public utilities: following to remain functional:

- i. Operations of Oil and Gas sector, including refining, transportation, distribution, storage and retail of products, e.g., petrol, diesel, kerosene, CNG, LPG, PNG etc.
- ii. Generation, transmission and distribution of power at Central and State/ UT levels.
- iii. Postal services, including post offices.
- iv. Operations of utilities in water, sanitation and waste management sectors, at municipal/ local body levels in States and UTs.
- v. Operation of utilities providing telecommunications and internet services.

12. Movement, loading/ unloading of goods/ cargo (inter and intra State) is allowed, as under:

- i. All goods traffic will be allowed to ply.
- ii. Operations of Railways: Transportation of goods and parcel trains.
- iii. Operations of Airports and related facilities for air transport for cargo movement, relief and evacuation.
- iv. Operations of Seaports and Inland Container Depots (ICDs) for cargo transport, including authorized custom clearing and forwarding agents.

- v. Operations of Land Ports for cross land border transportation of essential goods, including petroleum products and LPG, food products, medical supplies.
- vi. Movement of all trucks and other goods/ carrier vehicles with two drivers and one helper subject to the driver carrying a valid driving license; an empty truck/ vehicle will be allowed to ply after the delivery of goods, or for pick up of goods.
- vii. Shops for truck repairs and dhabas on highways, with a stipulated minimum distance as prescribed by the State/ UT authorities.
- viii. Movement of staff and contractual labour for operations of railways, airports/ air carriers, seaports/ ships/ vessels, landports and ICDs is allowed on passes being issued by the local authority on the basis of authorizations issued by the respective designated authority of the railways, airports, seaports, landports and ICDs.

13. Supply of essential goods is allowed, as under:

- i. All facilities in the supply chain of essential goods, whether involved in manufacturing, wholesale or retail of such goods through local stores, large brick and mortar stores or e-Commerce companies should be allowed to operate, ensuring strict social distancing without any restriction on their timing of opening and closure.
- ii. Shops (including *Kirana* and single shops selling essential goods) and carts, including ration shops (under PDS), dealing with food and groceries (**for daily use**), hygiene items, fruits and vegetables, dairy and milk booths, poultry, meat and fish, animal feed and fodder etc, should be allowed to operate, ensuring strict social distancing without any restriction on their timing of opening and closure.
- iii. District authorities may encourage and facilitate home delivery to minimize the movement of individuals outside their homes.

14. Commercial and private establishments, as listed below, will be allowed to operate:

- i. Print and electronic media including broadcasting, DTH and cable services.
- ii. IT and IT enabled Services, with upto 50% strength.
- iii. Data and call centres for Government activities only.
- iv. Government approved Common Service Centres (CSCs) at Gram Panchayat level.
- v. E-commerce companies. Vehicles used by e-commerce operators will be allowed to ply with necessary permissions.
- vi. Courier services.
- vii. Cold storage and warehousing services, including at ports, airports, railway stations, container Depots, individual units and other links in the logistics chain.
- viii. Private security services and facilities management services for maintenance and upkeep of office and residential complexes.



- ix. Hotels, homestays, lodges and motels, which are accommodating tourists and persons stranded due to lockdown, medical and emergency staff, air and sea crew.
- x. Establishments used/ earmarked for quarantine facilities.
- xi. Services provided by self-employed persons, e.g., electrician, IT repairs, plumbers, motor mechanics, and carpenters.

15. Industries/ Industrial Establishments (both Government and private), as listed below, will be allowed to operate:

- i. Industries operating in rural areas, i.e., outside the limits of municipal corporations and municipalities.
- ii. Manufacturing and other industrial establishments with access control in Special Economic Zones (SEZs) and Export Oriented Units (EoUs), industrial estates, and industrial townships. These establishments shall make arrangements for stay of workers within their premises as far as possible and/ or adjacent buildings and for implementation of the Standard operating protocol (SOP) as referred to in para 21 (ii) below. The transportation of workers to work place shall be arranged by the employers in dedicated transport by ensuring social distancing.
- iii. Manufacturing units of essential goods, including drugs, pharmaceuticals, medical devices, their raw material and intermediates.
- iv. Food processing industries in rural areas, i.e., outside the limits of municipal corporations and municipalities.
- v. Production units, which require continuous process, and their supply chain.
- vi. Manufacturing of IT hardware.
- vii. Coal production, mines and mineral production, their transportation, supply of explosives and activities incidental to mining operations.
- viii. Manufacturing units of packaging material.
- ix. Jute industries with staggered shifts and social distancing.
- x. Oil and gas exploration/ refinery.
- xi. Brick kilns in rural areas i.e., outside the limits of municipal corporations and municipalities.

16. Construction activities, listed as below, will be allowed to operate:

- i. Construction of roads, irrigation projects, buildings and all kinds of industrial projects, including MSMEs, in rural areas, i.e., outside the limits of municipal corporations and municipalities; and all kinds of projects in industrial estates.
- ii. Construction of renewable energy projects.
- iii. Continuation of works in construction projects, within the limits of municipal corporations and municipalities, where workers are available on site and no workers are required to be brought in from outside (in situ construction).

17. Movement of persons is allowed in the following cases:

- i. Private vehicles for emergency services, including medical and veterinary care, and for procuring essential commodities. In such cases, one passenger besides the private vehicle driver can be permitted in the backseat, in case of

four-wheelers; however, in case of two-wheelers, only the driver of the vehicle is to be permitted.

- ii. All personnel travelling to place of work and back in the exempted categories, as per the instructions of the State/ UT local authority.

18. Offices of the Government of India, its Autonomous/ Subordinate Offices will remain open, as mentioned below:

- i. Defence, Central Armed Police Forces, Health and Family Welfare, Disaster management and Early Warning Agencies (IMD, INCOIS, SASE and National Centre of Seismology, CWC), National Informatics Centre (NIC), Food Corporation of India (FCI), NCC, Nehru Yuva Kendras (NYKs) and Customs to function without any restriction.
- ii. Other Ministries and Departments, and offices under their control, are to function with 100% attendance of Deputy Secretary and levels above that. Remaining officers and staff to attend upto 33% as per requirement.

19. Offices of the State/ Union Territory Governments, their Autonomous Bodies and Local Governments will remain open, as mentioned below:

- i. Police, home guards, civil defence, fire and emergency services, disaster management, prisons and municipal services will function without any restrictions.
- ii. All other Departments of State/ UT Governments to work with restricted staff. Group 'A' and 'B' officers may attend as required. Group 'C' and levels below that may attend upto 33% of strength, as per requirement to ensure social distancing. However, delivery of public services shall be ensured, and necessary staff will be deployed for such purpose.
- iii. District administration and Treasury (including field offices of the Accountant General) will function with restricted staff. However, delivery of public services shall be ensured, and necessary staff will be deployed for such purpose.
- iv. Resident Commissioner of States/ UTs, in New Delhi, only to the extent of coordinating COVID-19 related activities and internal kitchen operations.
- v. Forest offices: staff/ workers required to operate and maintain zoo, nurseries, wildlife, fire-fighting in forests, watering plantations, patrolling and their necessary transport movement.

20. Persons to remain under mandatory quarantine, as under:

- i. 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.
- ii. Persons violating quarantine will be liable to legal action under Section 188 of the IPC, 1860.
- iii. Quarantined persons, who have arrived in India after 15.2.2020, after expiry of their quarantine period and being tested Covid-19 negative, will be released following the protocol prescribed in the SOP issued by MHA.

21. Instructions for enforcement of above lockdown measures:

- i. All the district magistrates shall strictly enforce the National COVID 19 directives as specified in **Annexure I**. Penalties prescribed shall be levied and collected from all persons and entities violating these directives.