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NOTIFICATION

THE MIZORAM (CONTAINMENT AND PREVENTION OF THE SPREAD OF COVID-19)
ACT, 2020

AN
ACT

to contain and prevent the spread of Covid-19 in the State of Mizoram and matters connected therewith and incidental thereto.

WHEREAS the spread of COVID-19 has not subsided, there is a need for containment and prevention of the spread of COVID-19 in the interest of public health and safety;

It is enacted by the Legislative Assembly of Mizoram in the Seventy First Year of the Republic of India as follows:

CHAPTER -I PRELIMINARY

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| 1. Short title, extent and Commencement.- | 1) This Act may be called the Mizoram (Containment and Prevention of the Spread of Covid-19) Act, 2020. |
| | 2) It shall extend to the whole of Mizoram. |
| | 3) It shall come into force at once. |
| 2. Definitions.- | 1) In this Act unless the context otherwise requires:- |
| | a) 'authorized persons' means persons authorized under section 3 of this Act. |
| | b) 'competent authority' means any authority or person(s) authorized by the State/Central Government from time to time for the purpose of containment and prevention of COVID-19. |
| | c) 'Government' means the Government of Mizoram. |
| | d) 'mask' includes a covering made of any material in any form which is used to cover the nose and mouth sufficient/adequate enough to prevent the transmission and spread of COVID-19. |

- e) 'public place' means any place to which the public have access, whether as of right or not, and includes hospitals and all other health centres, amusement centres, parks, playgrounds, hotels and restaurants, public offices, work places, educational institutions, libraries, public transport vehicles including its stands and stations, railway station, airport, public road, stadium, auditorium, community hall/centres, commercial establishments, gyms, market place/area, shopping malls, public/local wholesale and retail shops, petrol pumps, religious institutions and the like which are visited by the general public.
 - f) 'regulations' means The Mizoram Epidemic Diseases (COVID-19) Regulations, 2020 as amended from time to time .
 - g) 'social distancing' means the practice of maintaining a physical distance by at least 6 (six) feet from other person so as to avoid direct contact with other persons in public places and any other private/public/social gathering for prevention of transmission and spread of COVID -19.
 - h) 'spitting' means the act of ejecting saliva, sputum or any other liquid or solid substances which includes kuhva, gutkha, pan masala, zarda, tuibur or any other tobacco product in any form from one's mouth and/or nose.
 - i) 'State' means the State of Mizoram.
- 2) The words and expressions used herein and not defined but defined in the Mizoram Epidemic Diseases (COVID-19) Regulations, 2020 shall have the same meanings respectively assigned to them in the said regulations.

3. Authorized persons to impose & collect fines.-

Authorized persons to impose & collect fines for violation of this Act, regulations, guidelines or any other instructions issued by the Government with regard to containment and prevention of the spread of Covid-19 shall be as follows:-

- 1) any Executive Magistrate.
- 2) any Law Enforcing Officer/officers/any person authorized by the Government.
- 3) any police officer not below the rank of Constable.
- 4) Chairman/ Vice-Chairman/Member Secretary of State Level Task Force on COVID-19.
- 5) Chairman/Vice-Chairman/Member Secretary of District Level Task Force on COVID-19.
- 6) Chairman/Vice-Chairman/Member Secretary of Village/ Local Level Task Force on COVID-19.

CHAPTER – II
OFFENCES AND PENALTIES

4. Offences.-

The following acts or omissions shall be considered to be offences under this Act:-

- 1) entering or staying at any public place without the use of mask;
- 2) failing to maintain social distancing protocol/guidelines in public places;
- 3) spitting in public places;
- 4) organising any social or religious event without prior permission from the competent authority;
- 5) crossing borders by exiting and/or entering the State without permission from the competent authority;
- 6) avoiding or attempting to evade quarantine and/or isolation at designated quarantine/isolation facility as per regulations/guidelines/instructions in force from time to time;
- 7) leaving or escaping the designated quarantine/isolation facility before completion of the stipulated time;
- 8) failing to follow instructions/guidelines and endangering the safety of others while staying at designated quarantine facility;
- 9) failing to comply with any other regulations guidelines or instructions made by the Central or State Government for containment and prevention of the spread of Covid-19 including lockdown guidelines issued by the State Government from time to time;
- 10) exposure/display of the identity of Covid-19 positive patient and suspected persons by sharing their bio-data and/or photo in print, electronic and social media without prior permission from the competent authority;
- 11) obstructing officials from performing their duties;
- 12) refusal or failure to cooperate with officials;
- 13) furnishing false information;
- 14) refusal or failure to provide information required for the containment and prevention of COVID-19;
- 15) non-compliance of the Containment and Surveillance Plan, Instructions and Guidelines on COVID-19 for Mizoram notified by the State Government from time to time;
- 16) (a) refusal or failure to pay fines
(b) for the purpose of clause (a) of sub-section (16) of section 4, the offence shall be cognizable and bailable, triable by Judicial Magistrate First Class.

5. Penalties.

Whoever contravenes the provisions of section 4 of this Act shall be punished as follows:-

- 1) for contravening sub-section (1) with fine amounting to Rs.100/-.
- 2) for contravening sub-section (2) with fine amounting to Rs.200/-.
- 3) for contravening sub-section (3) with fine amounting to Rs.300/-.
- 4) for contravening sub-section (4) with fine amounting to Rs.5000/-.
- 5) for contravening sub-section (5) with fine amounting to Rs.5000/-.

- 6) for contravening sub-section (6) with fine amounting to Rs.3000/-.
- 7) for contravening sub-section (7) with fine of not less than Rs. 1000/- but which may extend to Rs.5000/-.
- 8) for contravening sub-section (8) with fine of not less than Rs.1000/- but which may extend to Rs.5000/-.
- 9) for contravening sub-section (9) with fine amounting to Rs.1000/-.
- 10) for contravening sub-section (10) with fine of not less than Rs.2000/- but which may extend to Rs.10,000/-.
- 11) for contravening sub-section (11) with fine of not less than Rs.2,000/- but which may extend to Rs.10,000/-.
- 12) for contravening sub-section (12) with fine of not less than Rs.1000/- but which may extend to Rs.5,000/-.
- 13) for contravening sub-section (13) with fine of not less than Rs.1000/- but which may extend to Rs.5000/-.
- 14) for contravening sub-section (14) with fine of not less than Rs.1000/- but which may extend to Rs.5000/-.
- 15) for contravening sub-section (15) with fine of not less than Rs.1000/- but which may extend to Rs.5000/-.
- 16) for contravening clause (a) of sub-section (16) of section 4 with imprisonment of not less than 3 months but which may extend to 1 Year.

CHAPTER – III MISCELLANEOUS

6. Records of fines imposed.- The persons authorized to impose and collect fines under this Act shall maintain proper records of all fines imposed in a separate register and such record shall include all the details specified in the receipt/challan in duplicate as provided in the Annexure.
7. Detention of offenders.-
 - (1) Whoever fails or refuses to pay the stipulated fines for contravention of the offences under sub - section (1) to (15) of section 4 shall be handed over to the concerned Police Station/ Out-Post immediately and shall be detained in such Police Station/ Out-Post for the payment of the stipulated fines within 24 hours.
 - (2) In default of payment of the stipulated fines for contravention of the offences under sub-section (1) to (15) of section 4 within 24 hours of detention, the person detained shall be produced before the concerned Magistrate for trial under sub-section (16) of section 4 of this Act.
8. Depositing of fines.- The authorized persons shall submit the fines collected under section 5 to the Deputy Commissioner of the district concerned alongwith all the records maintained under section 6 on the last working day of every month. The Deputy Commissioner shall cause the fines so collected to be deposited in the State Treasury.

9. Act not in derogation of any other law.- The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.
10. Protection of action taken in good faith.- No suit, prosecution or other legal proceeding shall lie against any person authorized under this Act for anything which is done or intended to be done in good faith under this Act.
11. Power to remove difficulties.-
- (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make provisions not inconsistent with the provisions of this Act which appear to it to be necessary or expedient, for removing the difficulty.
 - (2) Every order made under this section shall, as soon as may be after it is made, be laid before the Legislative Assembly.
12. Power to make rules.-
- (1) The Government may, by notification in the Official Gazette, make rules either prospectively or retrospectively for the purpose of carrying into effect the provisions of this Act.
 - (2) Every rules made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session and/or if the Legislative Assembly makes any modification in the rule or decides that the rules should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rules.

Secretary,
Law & Judicial Department,
Govt. of Mizoram.

ANNEXURE

Government of Mizoram RECEIPT/CHALLAN	
Book No. _____	Receipt No. _____
Received _____ (Rupees _____)	
From Mr/Mrs/Miss _____	
S/o/D/o _____	
R/o _____	
on account of contravention of sub-section _____ of section 4 of the Mizoram (Containment and Prevention of the Spread of Covid-19) Act, 2020	
at _____ on Dt. _____	
Offender's Signature	Authorised person's signature
Name: _____	Name: _____
	Designation: _____
Add.: _____	Add.: _____
Ph.No. _____	Ph.No. _____