

AJAY BHALLA, IAS



गृह सचिव
Home Secretary
भारत सरकार
Government of India
North Block,
New Delhi

No. 40-10/2020-DM-I (A)

22nd April, 2020

Dear

Kindly refer to Ministry of Home Affairs advisories issued vide letters No. 11034/01/2020-IS-IV dated 24.03.2020, 04.04.2020 and 11.04.2020 requesting Chief Secretaries/ Administrators/ Directors General of Police of all the State Governments/ Union Territory Administrations to ensure adequate protection to healthcare professionals, medical staff and frontline workers by augmenting their safety and security cover. In spite of the said communications, some incidents of violence have been reported from different parts of the country against healthcare professionals/ frontline workers.

2. You are aware that the whole-hearted and untiring services rendered by the entire medical fraternity, while even risking their lives, has enabled the country to resist the spread of the highly infectious COVID-19 virus, that has already been declared as a pandemic by the World Health Organisation (WHO). At this time, any single incident of violence against healthcare professionals is likely to create a sense of insecurity amongst the entire healthcare community.

3. I would like to draw your kind attention to the direction of the Hon'ble Supreme Court in WP (Civil) No. 10795/2020 dated 08.04.2020, as under:

"The Government of India, respective States/Union Territories and respective Police authorities are directed to provide the necessary Police security to the Doctors and medical staff in Hospitals and places where patients who have been diagnosed COVID-19 or patients suspected of COVID-19 or those quarantined are housed. Necessary Police security be also extended to Doctors and other medical staff who visit places to conduct screening of people to find out symptoms of disease."

The above direction of the Apex Court was conveyed by MHA to all States/Union Territories vide aforesaid letter dated April 11, 2020.

4. Therefore, it is the responsibility of all State Governments/UT Administrations/ District Administrations and law enforcement agencies to take all necessary measures to ensure adequate protection to healthcare professionals and frontline workers, and to prevent any incident of violence against them. The measures to be taken in this regard should be finalized in consultation with the local chapters of the Indian Medical Association (IMA), and the members of the IMA should be kept apprised of the actions taken to create a sense of security and confidence amongst the health fraternity.

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5. I would also like to draw your kind attention to Section 51 of the Disaster Management Act, 2005 which provides for strict penalties against any person who obstructs any officer or employee of the Central Government or the State Government, or a person authorised by the National Authority or State Authority or District Authority in the discharge of his functions under this Act or refuses to comply with any direction given by or on behalf of the Central Government or the State Government or the National Executive Committee or the State Executive Committee or the District Authority.

6. In line with the provisions of the Disaster Management Act, 2005, I urge upon all State/UT and District authorities to invoke the provisions of the Act, or any other law in force, to take strict penal action against the offenders, who obstruct Government health officials, or other health professionals and/ or related persons, who are authorized under the Disaster Management Act, 2005, in the discharge of their lawful services.

7. A few heinous instances of unruly behaviour by people have also been reported in some parts of the country where the family and relatives of medical professionals, suspected to have died due to COVID-19 infection were prevented from performing the last rites of the deceased. In such cases, adequate security should be provided; and, stringent action should be taken against such offenders who obstruct the performance of last rites of medical professionals or frontline healthcare workers, who, unfortunately, succumb to the infection from COVID-19 while discharging their services, or otherwise.

8. State Governments/ UT Administrations are also requested to appoint Nodal Officers at State/UT level and at District level, who would be available 24x7 to redress any safety issue on the functioning of medical professionals. They should also take immediate and strict action in case any incident of violence takes place.

9. Details of preventive measures taken and appointment of Nodal Officers should be widely publicized amongst the medical fraternity, including the local chapters of the IMA, as well as to the public at large, to ensure compliance at ground level. Further, it is requested that details of action taken by State Governments/UT Administrations should be informed to Ministry of Home Affairs and Ministry of Health and Family Welfare.

With regards,

Yours sincerely

Sd/-

(Ajay Bhalla)

To

1. The Chief Secretaries of all States
2. Administrators of all Union Territories.
3. Directors General of Police of all States/UTs
4. Commissioner of Police, Delhi

Copy for information to:

The Secretary, Ministry of Health & Family Welfare


(Ajay Bhalla) 22/4/2020