

अजय भल्ला, भा.प्र.से.
AJAY BHALLA, IAS



1423
गृह सचिव
Home Secretary
भारत सरकार
Government of India
नॉर्थ ब्लॉक/North Block
नई दिल्ली/New Delhi

No. 40-3/2020-DM-I(A)

03rd February, 2021

Dear Chief Secretary,

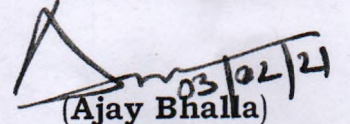
The pandemic of COVID-19 has led to actions which were urgently required for containing the unprecedented situation all over the country. During the course of dealing with this unprecedented situation of pandemic, the Central Government and State Governments/ UT Administrations invoked the provisions of Disaster Management Act, 2005, Epidemics Act, 1897, Indian Penal Code (IPC, 1860) and so on, for effectively dealing with this situation.

2. In view of the effective implementation and execution of the guidelines issued by the Central Government, the situation appears to be reasonably under control. In view of the situation where people have been sensitized and the rule of law has been effectively executed by the State Governments/ UT Administrations, it is advisable that the cases of violation registered during the course of execution of the guidelines may be reviewed by the respective State Governments/UT Administrations, so as to avoid unnecessary court proceedings, clogging the pendency of criminal cases in the courts, putting the citizens through the process of criminal proceedings for the happenings under unprecedented circumstances, resulting from the pandemic, and send a positive message of concern of the State.

3. The State/UT Governments may, after suitably reviewing the criminal cases resulting from alleged violations of standard COVID-19 protocols on merits, consider withdrawing the criminal cases as per the relevant provisions of law by filing appropriate requests for withdrawal of prosecution before the courts of law through the prosecutors. It may also be noted that this advisory may not be treated as the blanket sanction/ direction for withdrawing cases of serious nature and is applicable to the cases of alleged standard COVID-19 protocol violations which are not serious in nature.

With regards,

Yours sincerely,


(Ajay Bhalla)

Chief Secretaries of all the States
(As per standard list)