



The Bihar Gazette

EXTRA ORDINARY

PUBLISHED BY AUTHORITY

21 VAISAKHA 1945(S)
(NO.PATNA 389) PATNA, THURSDAY, 11TH MAY 2023

Department of Health

NOTIFICATION

The 11th May 2023

No. 11/Maha (Vividh) 01/2020/365(11)—Whereas the Government of Bihar is satisfied that the State is threatened with, an outbreak of COVID-19, which is a dangerous epidemic disease and the State Government is of the opinion that ordinary provision of law for the time being in force are insufficient for the purpose.

Now, therefore, in exercise of the powers conferred under section 2, 3 and 4 of the Epidemic Diseases Act, 1897 (Central Act 3 of 1897), the Government of Bihar is pleased to issue the following regulation regarding COVID-19 (Corona Viral Disease 2019) and to take special measures to be observed by the public to prevent the outbreak of the said disease or spread thereof:-

1. This regulation may be called "The Bihar Epidemic Diseases, COVID-19 Regulation 2023".
2. "Epidemic Disease" in this regulation includes COVID-19 (Corona Virus Disease 2019).
3. Authorized person under this regulation are Director in Chief (Disease Control) at State Level; District Magistrate (DM), Civil Surgeon (CS) and Additional Chief Medical Officer (ACMO) in the districts and Sub Divisional Magistrate (SDM) and Medical Officer In-charge (MOIC) of respective subdivisions and blocks and Officers as authorized by the Department of Health from time to time.
4. All Hospitals (Government and Private) should have Flu corners for screening of suspected cases of COVID-19 (Corona Virus Disease 2019).
5. All Hospitals (Government and Private) during screening of such cases shall record the history of the travel of the person if he/she has travelled to any

- country or area where COVID-19 has been reported. In addition, the history of coming in contact with a suspected or confirmed case of COVID-19 shall be recorded.
6. No person/institution/organization shall use any print, electronic or social media for mis-information regarding COVID-19 with a mala fide intent to spread panic in the society. This is to avoid spread of any rumor or unauthenticated information regarding COVID-19. In case any person/institution/organization is found indulging in such activity, it will be treated as a punishable offence under these regulations.
 7. Private laboratories have also been authorized to take or test samples for COVID-19 in the State of Bihar, as per guidelines of Government of India.
 8. Authorized person as per clause 3 of these regulations are authorized under this Act to admit a person and isolate the person if required in case he/she has history of visit to an area known to be affected by COVID-19 or has come in contact with a person of that area and the concerned person is symptomatic.
 9. If a suspected case of COVID-19 refuses admission or isolation, the officers authorized in clause 3 of these regulations shall have powers to forcefully admit and isolate such case for a period of 10 days from the onset of symptoms or till the reports of laboratory tests are received, or such period as may be necessary as per the extant guidelines of Ministry of Health and Family Welfare, Govt of India.
 10. If there are sufficient reasons, cause or information to suspect or believe that any persons 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 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.
 11. 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 persons(s) to an 'Institutional Quarantine Facility' or an 'Isolation Facility'.
 12. It shall be mandatory for Medical Officers in Government Health Institutions and registered Private Medical Practitioners, including AYUSH practitioners, to notify such person(s) to the concerned District Surveillance Unit, along with duly filled up self declaration forms, who, within their knowledge, are having travel history to COVID-19 affected countries as per the guidelines and are having complaints of fever or cough or respiratory difficulty or even without any signs and symptoms of the COVID-19.
 13. 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 person refuses to co-operate with, render assistance to or comply with the directions of the Surveillance Personnel, the concerned District 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.
14. All advisories issued / to be issued by the Government of India on COVID-19 will ipso-facto be treated as directions under this regulation in the State of Bihar.
 15. If cases of COVID-19 are reported from a defined geographic area such as village, town, city, ward, colony, settlement etc., the District Magistrate of the concerned district shall have the right to implement the following containment measures, but not limited to these, in order to prevent spread of the disease.
 - (i) Sealing of the geographic area.
 - (ii) Barring entry and exit of population from the containment area.
 - (iii) Closure of schools, offices and banning public gatherings.
 - (iv) Banning vehicular movement in the area.
 - (v) Initiating active and passive surveillance for COVID-19 cases.
 - (vi) Isolation of all suspected cases as per the existing guidelines.
 - (vii) Designating any government/private building as containment unit for isolation of the cases.
 - (viii) Staff of all Government Departments shall be at the disposal of District Magistrate of the concerned area for discharging the duty of containment measures.
 - (ix) Any other measures as directed by Department of Health, Government of Bihar to prevent/contain the spread of COVID-19.
 16. District Disaster Management Authority headed by District Magistrate is authorized to prepare the planning strategy regarding containment measures for COVID-19 in their respective district.
 17. **Penalty:** - Any person/institution/organization found violating any provisions of these regulations shall be deemed to have committed an offence punishable under section 188 of the Indian Penal Code (45 of 1860). Additional Chief Secretary/Principal Secretary, Department of Health or District Magistrate of respective district may initiate legal action against any person/ institution/ organization if found violating provisions of this regulation or any further orders issued by Government of Bihar under this regulation.
 18. **Protection to persons under Act:** No suit or other legal proceeding shall lie against any person for anything done in good faith or intended to be done under this Act.
 19. **Timeline:** This regulation shall come into force immediately and shall remain valid for a period of one year from the date of publication of this notification.

By the order of Governor of Bihar,
Pratyaya Amrit,
Additional Chief Secretary.