

GOVERNMENT OF RAJASTHAN
Home (Group-IX) Department

No. F.9(16)Home-5/2020

Dated: 30-06-2020

To,

Police Commissioner, Jaipur/Jodhpur
All Collectors & District Magistrates
All District Superintendents of Police

Sub: Clarification regarding action taken under the National Disaster Management Act, 2005 and The Rajasthan Epidemic Ordinance, 2020.

The following clarifications are issued in respect of action to be taken under the aforesaid laws:-

1. For violation of any of the orders issued under National Disaster Management Act, 2005 (NDMA), the case has to be filed in the competent court by the Incident Commander and any punishment or fine can be levied only by the competent court.
2. For violation of orders issued under the Rajasthan Epidemic Ordinance, 2020 punishment has been prescribed in Section 5. However, such punishment/fine can be imposed only by the competent court.
3. Certain authorities have been authorised to compound offences under section 11 of The Rajasthan Epidemic Ordinance, 2020 and levy the fine. Such authorities and the amount of fine has been prescribed in the Regulations issued under the Ordinance. There is no discretion in respect of the amount of fine to be levied.
4. It has also been clearly specified vide letter No.F.9(16)Home-5/2020 dated 19.05.2020 that all proceeds from fine levied under the Rajasthan Epidemic Ordinance, 2020 be deposited in the following Government Budget head:-

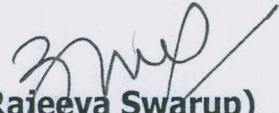
0070 - अन्य प्रशासनिक सेवाएं

01 - अर्थदण्ड और समपहरण

(03) - कार्यपालिका दण्डाधिकारी न्यायालय

It has come to notice that some authority has not only levied an exorbitant fine, which is not provided for in the law, but has also directed in the order that the amount be deposited in the Chief Minister's Relief Fund.

It is made abundantly clear that all contributions made to the Chief Minister's Relief Fund are purely voluntary. No Government official can direct any one through order in writing to deposit any amount in that Fund for having violated any order etc. or even otherwise.


(Rajeeva Swarup)
Additional Chief Secretary

Copy to the following for information & necessary action:-

1. Principal Secretary to CM
2. Director General of Police
3. All Divisional Commissioners
4. All Range IGs/DIGs


Special Secretary to the Govt.