

COVID- 19: PUNISHMENT FOR NOT FOLLOWING GOVERNMENT ORDERS

During the coronavirus outbreak, penal provisions, such as Sections 188, 269, 270 and 271 of the IPC, are being invoked to enforce the lockdown orders in various states.

What is section 188, 269, 270 and 271?

Let's refer the table below:

SECTION	PROVISION	PUNISHMENT	COMMENTARY/ ILLUSTRATION
188	Disobedience to order duly promulgated by public servant- Whoever, knowing that, by an order promulgated by a public servant lawfully empowered to promulgate such order, he is directed to abstain from a certain act, or to take certain order with certain property in his possession or under his management, disobeys such direction, shall, if such disobedience causes or tends to cause obstruction, annoyance or injury, or risk of obstruction, annoyance or	Simple imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees , or with both ; and if such disobedience causes or trends to cause danger to human life, health or safety, or causes or tends to cause a riot or affray, shall be punished with imprisonment of either description for a term which may extend to six months , or with fine which	If any person who's found on the road during the lockdown then he can be punished under this section.

	injury, to any person lawfully employed, shall be punished under this section. EXPLANATION: It is not necessary that the offender should intend to produce harm, or contemplate his disobedience as likely to produce harm. It is sufficient that he knows of the order which he disobeys, and that his disobedience produces, or is likely to produce, harm. This offence is cognizable, bailable and can be tried by any magistrate.	may extend to one thousand rupees, or with both.	
269	Negligent act likely to spread infection of disease dangerous to life- Whoever unlawfully or negligently does any act which is, and which he knows or has reason to believe to be, likely to spread the infection of any disease dangerous to life, shall be punished under this section. This offence is cognizable, bailable and can be tried by any magistrate.	Imprisonment of either description for a term which may extend to six months, or with fine, or with both.	The Lucknow police have lodged a case against Bollywood singer Kanika Kapoor for negligence in following instructions listed by the government to contain the spread of the novel coronavirus pandemic. The “Baby Doll” singer tested positive for the disease caused by the novel

			coronavirus. Kapoor did not quarantine herself after returning from London and instead attended several parties.
270	Malignant act likely to spread infection of disease dangerous to life- Whoever malignantly does any act which is, and which he knows or has reason to believe to be, likely to spread the infection of any disease dangerous to life, shall be punished under this section. This offence is cognizable, bailable and can be tried by any magistrate.	Imprisonment of either description for a term which may extend to two years , or with fine , or with both .	The difference between section 269 and 270 is that 269 covers cases of carelessness and on the other hand 270 covers cases of deliberation i.e. done with intention. Illustration: If any person has travelled back to India from abroad and has been directed by the Government to be quarantine but still that person is not following the directions then that person can be punished under this section.
271	Disobedience to quarantine rule- Whoever knowingly disobeys any rule made and promulgated by the Government for putting any vessel into a state of quarantine, or for regulating the intercourse	Imprisonment of either description for a term which may extend to six months , or with fine , or with both .	For time being vessel includes any conveyance i.e. car, bus, etc.

	of vessels in a state of quarantine with the shore or with other vessels, for regulating the intercourse between places where an infectious disease prevails and other places, shall be punished under this section. This offence is non-cognizable, bailable and can be tried by any magistrate.		
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