

18.04.2020

CIRCULAR No 03/2020

Sub: Permission to Operate SEZs/EOUs as per the revised guideline of MHA-Reg

The Ministry of Home Affairs, Government of India has issued Consolidated Revised Guidelines vide Order No. 40- 3/2020-DM-I(A) dated 15th April 2020 on the measures to be taken by Ministries/Departments of Government of India, State/UT Governments and State/UT Authorities for the containment of COVID-19 in the country. As per Clause 15 (ii) of the Guidelines, Manufacturing and other industrial establishments with access control in Special Economic Zones (SEZs) and Export Oriented Units (EOUs) can continue to operate during the lockdown subject to compliance of the conditions specified therein and implementation of Standard Operating Procedures (SOPs) as in Annexure II of the Guidelines.

2. Govt. of Kerala vide G.O (Ms) No. 78/2020/GAD dated 17.04.2020 classified districts into the following categories based on the number of cases and disease threat.

Category	Districts	Status
Red	Kasargod, Kannur, Kozhikode Malappuram	Complete Lockdown till 3rd May 2020
Orange A	Pathanamthitta Idukki Kollam	Lockdown till 24th April 2020 partial relaxation thereafter.
Orange B	Alappuzha, Trivandrum, Palakkad, Wayanad Thrissur	Lockdown till 20th April 2020 Partial relaxation thereafter.
Green	Kottayam Idukki	Lockdown till 20th April 2020 and relaxation thereafter

3. Accordingly the SEZs and EOUs in Kerala are hereby allowed to continue their operations with effect from the date mentioned against the category of District where such Unit is located. However, the permission does not apply if the location falls under the 'Containment Zone' demarcated in the 'Hotspots' of COVID-19 notified by the State Government/District/Corporation/Municipal Administration from time to time.

4. The permission is subject to fulfillment of the following conditions:

- (i) The SEZ Units/EOUs shall make arrangements for stay of workers within their premises as far as possible and/or adjacent buildings.

- (ii) For workers coming from outside, dedicated transportation facility shall be arranged by the Units without any dependency on public transport system. These vehicles should be allowed to ply only with 30-40% passenger capacity to strictly ensure social distancing. Employees using their private vehicles shall obtain necessary permits from the District Administration/Competent Authority as required and adhere to travel restrictions.
- (iii) Wearing of Face Mask by everyone at the workplace is compulsory. The employees should be encouraged to wear Face Masks at all public places including while travelling to place of work and return.
- (iv) Mandatory thermal scanning of everyone entering and exiting the Unit Premises shall be carried out by the Units in SEZ/EOU. Daily Report on the number of employees who had undergone thermal scanning, cases of high temperature, if any, and the action taken shall be mailed to the ADCs concerned in the format given at Annexure I.
- (v) All Units shall sanitise their workplaces between shifts. All areas in the premises of SEZ Units/EOUs including the following shall be disinfected completely and regularly using user-friendly disinfectant mediums:
 - a. Entrance and Exit Gates of all Buildings/Offices, etc.
 - b. Cafeteria and Canteens.
 - c. Meeting room, Conference Halls/open areas available/verandah/entrance and exit gates of sites, bunkers, porta cabins, buildings, etc.
 - d. Equipments and lifts.
 - e. Washrooms, toilets, sinks, water points, etc.
 - f. Walls and all other surfaces.
- (vi) The responsibility of disinfecting the common areas of the SEZ shall lie with the Developer/Co-Developer of the Zone.
- (vi) All vehicles and machinery entering the Unit premises shall be disinfected by spray without fail.
- (vii) The SEZ Developers/Co-Developers/Units/EOUs shall mandatorily provide Medical Insurance to their employees.
- (viii) Provision for hand wash with soap and sanitisers preferably with touch free mechanism shall be kept by all the Units at all entry and exit points and common areas within the Unit Premises. Developers and Co-Developers of SEZs shall be responsible for providing such facilities in the common areas of the Zones.
- (ix) Work places shall mandatorily have a gap of one hour between shifts and will stagger the lunch breaks for the employees to ensure social distancing. Intensive communication and training of good hygiene practices should be taken up by the SEZ Developers/Co-Developers/Units/EOUs.
- (x) Large gatherings or meetings of 10 or more people should be strictly avoided. Seating arrangements at job sites and in gatherings, meetings and training sessions shall be at least 6 feet away from each other.
- (xi) Not more than 2 persons (in smaller lifts) or 4 persons (in bigger lifts) shall be allowed to travel in lifts or hoists. Use of staircases for climbing following social distancing norms should be encouraged.
- (xii) There shall be a strict ban on gutka, tobacco, etc. Spitting shall be strictly prohibited.

- (xiii) There shall be a total ban on non-essential visitors at sites. Meetings with Vendors/Clients/Suppliers, etc. should be conducted through Video Conferencing facility.
- (xiv) Hospitals/Clinics in the nearby areas, which are authorised to treat COVID-19 patients should be identified in advance and list should be available at the workplaces at all times.
- (xv) Persons above 65 years of age, persons with co-morbidities and parents of children below the age of 5 may be encouraged to work from home.

5. SEZ Units/EOUs in IT/ITES sector shall be allowed to operate with a maximum limit of 50% of their workforce as per Clause 14(ii) of the Guidelines, subject to strict compliance of the conditions given above.

6. Before the commencement of their operations, the SEZ Developers/Co-Developers/Units/EOUs shall make necessary arrangements for the strict implementation of the SOPs. SEZ Developers/Co-Developers/Units/EOUs shall submit a Report, in the format enclosed herewith, to the respective ADCs of the SEZs detailing the actions taken by them for implementation of the SOPs along with an Undertaking that all the prescribed conditions would be complied with. EOUs shall submit their Report and Undertaking to the respective ADCs. The format of the undertaking is given in Annexure II.

7. Surprise inspections would be conducted by this Office to ensure that the SEZ Developers/Co-Developers/SEZ Units/EOUs are meticulously complying with the aforementioned conditions. In case of violations, the permission given to the particular SEZ Unit/EOU would be withdrawn forthwith in addition to action being taken against them under Section 51 to 60 of the Disaster Management Act, 2005 and under Section 188 of Indian Penal Code, 1860 by the competent authorities.

8. Wherever the Units are required to obtain permissions from the District Administration for the operation of the Unit or movement of employees and materials, the same shall be obtained by the Units as required.

9. As the concept of Containment Zone is dynamic, there is a possibility of a normal area turning into a Containment Zone. In such a scenario, the functional SEZ/SEZ units/EOUs falling under such Containment Zone shall have to suspend its operations immediately.

10. The above instructions will be modified as and when new directions from Central/State Govt are received. The directions of Central/State Govt shall prevail over these instructions in case of any inconsistency

Sd/-
(D V Swamy IAS)
Development Commissioner

Copy to:

- i. The Principal Secretary, Industries Department, Govt. of Kerala
- ii. Deputy Secretary, SEZ Division, Department of Commerce, Govt. of India
- iii. All Developers/Co-Developers, Private SEZs in Kerala under CSEZ
- iv. All SEZ Unit Holders in all SEZs in Kerala under CSEZ
- v. All EOU Holders in Kerala under CSEZ
- vi. DDC/DCC/ADCs/SOs/AOs
- vii. Computer Cell with a request to upload in website

Annexure I

Report on Action Taken for implementation of Standard Operating Procedures for Social Distancing at Workplaces

(As per Circular No. 03/2020 Dated 18th April 2020)

(To be submitted before commencing operations)

1.	Name of the SEZ Developer/Co-Developer/SEZ Unit/EOU:	
2.	Proposed date of commencement of Operations	
3.	No. of Employees to be deployed	
4.	Out of Sl. No. 3, number of Employees to stay within the Unit premises and/or adjacent buildings	
5.	Out of Sl. No. 3, number of Employees to travel from their Homes {Note: Sl. No. 3 = Sl. No. 4 + Sl. No. 5}	
6.	a. Out of the Sl. No. 5, number of Employees for whom specially dedicated transportation facility has been arranged by the Unit	
	b. Out of Sl. No. 5 above, number of Employees who would use their private vehicles {Note: Sl. No. 5 = 6(a)+6(b)}	
7.	Whether arrangements have been made for providing Face Masks to all the Employees on all days of working? (Yes/No) Please give details about the number of masks procured/proposed to be procured for this purpose.	

8.	<p>Whether arrangements have been made for thermal scanning of everyone entering and exiting the Unit Premises? (Yes/No)</p> <p>How many Thermal Scanners are available with the Developer/Co-Developer/SEZ Unit/EOU?</p> <p>{Note: Daily Report should be submitted to ADCs in the prescribed format}</p>	
9.	<p>Whether arrangements have been made for sanitising the workplaces between shifts? (Yes/No)</p> <p>Please give details.</p>	
10.	<p>Whether arrangements have been made for disinfecting all areas in the premises of the Zone/SEZ Units/EOUs completely and regularly using user-friendly disinfectant mediums? (Yes/No)</p> <p>Please give details.</p>	
11.	<p>Whether arrangements have been made for spraying disinfectants on all vehicles and machinery entering the Unit premises? (Yes/No)</p> <p>Please give details.</p>	
12.	<p>Whether Medical Insurance have been provided to all your employees? (Yes/No)</p>	
13.	<p>Whether provision for hand wash & sanitisers preferably with touch free mechanism has been made at all entry and exit points and common areas within the Unit premises? (Yes/No)</p>	

	<p>In the case of Developers and Co-Developers of SEZs whether such facilities have been provided in the common areas of the Zone? (Yes/No)</p> <p>Please give details.</p>	
14.	<p>Whether arrangements have been made for a mandatory gap of one hour between shifts and staggering the lunch breaks for the employees to ensure proper social distancing? (Yes/No)</p> <p>Please give details</p>	
15.	<p>Whether arrangements for Intensive communication and training of good hygiene practices among the employees have been made? (Yes/No)</p> <p>Please give details</p>	
16.	<p>Whether the condition that large gatherings or meetings of 10 or more people should be strictly avoided will be complied with? (Yes/No)</p>	
17.	<p>Whether arrangements for ensuring that Seating at job sites and in gatherings, meetings and training sessions is at least 6 feet away from each other have been made? (Yes/No)</p> <p>Please give details</p>	
18.	<p>Whether arrangements have been made for not allowing more than 2 persons (in smaller lifts) or 4 persons (in bigger lifts)? (Yes/No)</p>	
19.	<p>Whether arrangements have been made to encourage use of staircases for climbing, duly following social distancing norms? (Yes/No)</p>	

20.	<p>Whether arrangements are in place to strictly ban gutka, tobacco, etc. and to prohibit Spitting at workplace and public places? (Yes/No)</p> <p>Please give details</p>	
21.	<p>Whether arrangements have been made to totally ban all non-essential visitors at sites? (Yes/No)</p>	
22.	<p>Whether Video Conferencing facility is available for holding meetings with Vendors/Clients/Suppliers/others? (Yes/No)</p> <p>Please give details</p>	
23.	<p>Whether Hospitals/Clinics in the nearby areas, which are authorised to treat COVID-19 patients have been identified in advance? (Yes/No)</p> <p>Enclose a copy of the list with this Report</p>	
24.	<p>Whether persons above 65 years of age, persons with co-morbidities and parents of children below the age of 5 have been identified and asked to work from home? (Yes/No)</p> <p>Please give the number of persons under each category.</p>	

Undertaking

I hereby undertake to implement the SOPs for Social Distancing at Workplaces as notified by the Ministry of Home Affairs, Government of India in its Consolidated Revised Guidelines on the measures to be taken for the containment of COVID-19 in the country, as per Order No. 40-3/2020-DM-I(A) dated 15th April 2020

I also hereby undertake to comply with all the conditions specified in the Circular No. 3/2020 dated 18th April 2020 upon which the Zone/SEZ Unit/EOU has been allowed to operate.

I am also aware that in case of any violations, the permission given to the Zone/SEZ Unit/EOU to continue its operations during the lockdown would be withdrawn forthwith in addition to action being taken against us under Section 51 to 60 of the Disaster Management Act, 2005 and under Section 188 of Indian Penal Code, 1860 by the competent authorities.

Signature:

Name: Designation:

Name of the SEZ/SEZ Unit/EOU:

Date:

Seal:

{Note: The Undertaking shall be signed by the Director/General Manager/Vice President or equivalent rank in the case of Companies, Partner in the case of Partnership Firms/LLPs, and Proprietor in the case of Proprietorship Firms.}