

6. Epidemic Disease Act, 1897

Prelims Syllabus: Governance - Acts

Mains Syllabus: GS-II Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

Why in News?

- Recently, the Union Government Directed States and Union Territories to invoke the Epidemic Disease Act, 1897 to Fight the Covid-19 outbreak.

Background Info:

- The Epidemic Diseases Bill was introduced in 1897, during an outbreak of bubonic plague.
- Need: Since the existing laws were insufficient to deal with various matters such as “overcrowded houses, neglected latrines and huts, accumulations of filth, insanitary cowsheds and stables, and the disposal of house refuse.
- Special Powers: The Bill had called for special powers for governments of Indian provinces and local bodies, including to check passengers of trains and sea routes.

About Epidemic Disease Act, 1897:

- **Objective:**
 - ✓ The Epidemic Diseases Act aims to provide for the better prevention of the spread of dangerous epidemic diseases.
 - ✓ Under the act, temporary provisions or regulations can be made to be observed by the public to tackle or prevent the outbreak of a disease.
- **Powers to Central Government:**
 - ✓ Section 2A of the Act empowers the central government to take steps to prevent the spread of an epidemic.
 - ✓ Health is a State subject, but by invoking Section 2 of the Epidemic Diseases Act, advisories and directions of the Ministry of Health & Family Welfare will be enforceable.
 - ✓ It allows the government to inspect any ship arriving or leaving any port and the power to detain any person intending to sail or arriving in the country.
- **Penalty for Disobedience:**
 - ✓ This act provides for penalties for disobeying any regulation or order made under the Act. These are according to section 188 of the Indian Penal Code (Disobedience to order duly promulgated by a public servant).

- **Legal Protection to Implementing Officers:**

- ✓ Section 4 gives legal protection to the implementing officers acting under the Act.

Enforcement of the Act in the Recent Past:

- The Epidemics Diseases Act is routinely enforced across the country for dealing with outbreaks of diseases such as Swine Flu, Dengue.
- For Example in 2009, to tackle the swine flu outbreak in Pune, Section 2 powers were used to open screening centres in civic hospitals across the city, and swine flu was declared a notifiable disease.

Recent Changes in the Epidemic Diseases Act, 1897:

- Recently, the Cabinet amended the Act through an ordinance stating that commission or abetment of acts of violence against Healthcare Service Personnel shall be punished with imprisonment for a term of three months to five years, and with fine of Rs 50,000 to Rs 2 lakh.
- In case of causing grievous hurt, imprisonment shall be for a term of six months to seven years and a fine of Rs1 lakh to Rs 5 lakh.

