# Penalising before providing

A study of enforcement of COVID-19 related norms in Delhi

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# Introduction

As the novel coronavirus ('COVID-19') began to spread across the globe in early 2020, a momentous effort was made by governments and international organisations to appraise people of the dangers associated with it. This was accompanied by strict curbs on public gatherings and movement. More than half of the world's population experienced lockdowns of varying stringency.

India's initial response seemed cautious and calculated. Screening of passengers travelling from affected countries and contact tracing were central to this response. This, however, changed dramatically as more cases were reported. A nationwide lockdown was announced on March 24, 2020. On the next day, the Ministry of Home Affairs issued guidelines for the containment of the spread of COVID-19, practically shutting down the whole country. Except for a few essential services, all commercial and industrial establishments, schools, colleges, transports services and hospitality services were shut down.

To enforce one the world's strictest lockdowns, law enforcement agencies in India were armed with penal provisions of the Epidemic Disease Act, 1897 ('ED Act'), the Disaster Management Act, 2005 ('DM Act') and the Indian Penal Code, 1860 ('IPC').

In this paper, we analyse the extent of use of criminal laws to ensure compliance with COVID-19 containment measures in the National Capital Territory of Delhi ('Delhi'). We evaluate the processes involved and the role played by police and courts. We further look at public perception around the government's handling of the COVID-19 pandemic and the use of criminal laws to enforce COVID-19 appropriate behaviour ('CAB').

We argue that the state excessively relied on criminal law and excessive monetary fines to implement containment measures and ensure people followed CAB. In absence of any evidence that such an approach works, the reliance on deterrence infantilised the public and trivialised the use of criminal law. We further contend that better communication and increased capacity of the general public to obey orders may have had the desired impact without having to rely on force.

# **Research Methodology**

In order to understand the extent of use of criminal law in ensuring compliance with COVID-19 containment measures in Delhi, we filed Right to Information ('RTI') queries with the Delhi Police, the Directorate of Health Services and the Revenue Department. The following information was sought district-wise:

- a. Number of cases registered for violation of COVID-19 protocols from March 2020 to March 2022.
- Number of persons arrested for violation of COVID-19 protocols from March 2020 to March 2022.
- Amount of fine imposed and collected for violation of COVID-19 protocols from March 2020 to March 2022.

Magistrates/Sub-Divisional Magistrates of 8 out of 11 districts provided data on fines imposed for violation COVID-19 protocols. These districts were: West; Shahdara; North; North-West<sup>1</sup>; North East; South<sup>2</sup>; South-East and New Delhi.

Out of the 15 police districts, we received detailed responses from 9 districts and the Delhi Police's Metro, Airport, Railway and Traffic wings. This provided us data from around 126 police stations. (See Table 1)

| Table 1Districts from which data on cases registered, persons arrested and fines collected is available |                        |  |  |
|---|------------------------|--|--|
| District  | No. of Police Stations |  |  |
| South-West  | 12                     |  |  |
| West  | 12                     |  |  |
| Central   | 15                     |  |  |
| New-Delhi   | 10                     |  |  |
| Dwarka  | 11                     |  |  |
| Outer   | 10                     |  |  |
| North   | 14                     |  |  |
| Outer- North  | 8                      |  |  |

<sup>&</sup>lt;sup>1</sup> From the North-West District, data from only Saraswati Vihar sub-division was received.

<sup>&</sup>lt;sup>2</sup> From the South District, data from only Hauz Khas & Saket sub-divisions was received.

| North-West | 11  |
|------------|-----|
| Metro      | 16  |
| Railways   | 5   |
| Airport    | 2   |
| Total      | 126 |

To understand the role played by courts and police in administering criminal law we analysed court orders and First Information Reports ('FIRs'). Using the e-courts website, we randomly identified 10 cases of COVID-19 protocol violations from each district in Delhi. These cases gave us information about the police station where the case was registered, the FIR number, pleas taken and the pattern of sentencing. Out of the 110 cases, court orders were available for 44 cases. (See Table 2) FIRs of all these cases were available on the Delhi Police's FIR database. These FIRs gave us information about the facts of all the cases. (See Annexure 1)

| Table 2Distribution of the sample set of cases and court orders |   |    |  |  |  |
|---|---|----|--|--|--|
| District  | District Cases in Sample Orders Available |    |  |  |  |
| Central   | 10  | 2  |  |  |  |
| East  | 10  | 6  |  |  |  |
| New Delhi   | 10  | 6  |  |  |  |
| North East  | 10  | 4  |  |  |  |
| North   | 10  | 1  |  |  |  |
| North West  | 10  | 1  |  |  |  |
| South East  | 10  | 4  |  |  |  |
| Shahdara  | 10  | 2  |  |  |  |
| South   | 10  | 4  |  |  |  |
| South West  | 10  | 8  |  |  |  |
| West  | 10  | 6  |  |  |  |
| Total   | 110                                       | 44 |  |  |  |

In order to understand the public perception around the government's handling of the COVID-19 pandemic, we conducted a survey in all 11 districts of Delhi. From each district 30 individuals were interviewed. (See Table 3) The survey was conducted through in-person interviews using structured questionnaires. For the questionnaire see Annexure 2.

| Table 3Demographic profile of respondents – general public |                            |             |  |  |
|--|----------------------------|-------------|--|--|
| Variable   | Category Number of Respond |             |  |  |
| Gender   | Male                       | 144 (43.6%) |  |  |
|  | Female                     | 186 (56.3%) |  |  |
| Educational Background                                     | Illiterate                 | 70 (21.2%)  |  |  |
|  | Upto 5th standard          | 32 (9.6%)   |  |  |
|  | Upto 10th standard         | 108 (32.7%) |  |  |
|  | Upto 12th standard         | 57 (17.2%)  |  |  |
|  | Graduate                   | 44 (13.3%)  |  |  |
|  | Post- Graduate             | 19 (5.7%)   |  |  |
| Religion   | Hindu                      | 277 (83.9%) |  |  |
|  | Muslim                     | 44 (13.3%)  |  |  |
|  | Sikh                       | 7 (2.1%)    |  |  |
|  | Others                     | 2           |  |  |

We also interviewed police personnel from police stations spread across six districts to understand the processes and how they perceived their role during the COVID-19 pandemic. (See Table 4)

| Table 4Profile of respondents – police |                 |                                |  |  |
|--|-----------------|--------------------------------|--|--|
| District                               | Police Station  | Officer Interviewed            |  |  |
| Central                                | Jama Masjid     | Sub-Inspector                  |  |  |
| New Delhi                              | South Campus    | Head Constable & Sub-Inspector |  |  |
| South- East                            | Sunlight Colony | Head Constable                 |  |  |
| North- West                            | Model Town      | Sub-Inspector                  |  |  |
| West                                   | Khayala         | Head Constable                 |  |  |
| Dwarka                                 | Bindapur        | Asst. Sub-Inspector            |  |  |

# Employing deterrence in the fight against COVID-19

As emerged from the orders passed by the government, containment measures were put in place to prevent the spread of COVID-19. Strict observance of the containment measures was deemed necessary to contain the spread of COVID-19. The government decided to use criminal law as a means to this end. Lockdown violations and non-observance of CAB began to be categorised as criminal offences. Not wearing a mask, not following quarantine and isolation guidelines or not maintaining social distancing could get people arrested and sentenced to imprisonment. The DM Act<sup>3</sup>, the ED Act<sup>4</sup> and Sections 188<sup>5</sup>, 269<sup>6</sup> and 270<sup>7</sup> of the IPC, were used to punish such violations.

### The Processes & Implementation

In Delhi, lockdown violations and non-observance of CAB either attracted criminal proceedings or administrative penalties. While FIRs were filed under the IPC, DM Act and the ED Act, fines were introduced in June 2020 by an order of the Government of Delhi. <sup>8</sup>The order authorised certain government officials to impose fines for violations of COVID-19 containment measures on the spot. (See the flowchart below)

Our data shows that from March 2020 to March 2022, 23,094 FIRs were filed and 54,919 persons were arrested under Section 188 of IPC, provisions of DM Act and ED Act in seven districts of Delhi. (See Table 5) Our data also showed that the majority of FIRs were filed for not wearing a mask.

| Table 5          |            |      |         |           |        |       |            |
|------------------|------------|------|---------|-----------|--------|-------|------------|
|                  | South West | West | Central | New Delhi | Dwarka | North | North-West |
|                  |            |      |         |           |        |       |            |
| FIRs Registered  | 4029       | 6248 | 2762    | 796       | 3405   | 3756  | 2098       |
| Persons Arrested | 40119      | 6271 | 3845    | 1083      | 3601   | N/A   | N/A        |

<sup>&</sup>lt;sup>3</sup> Section 51 to 60 of the DM Act punishes individuals and companies for obstruction of public officer, knowingly making false claims and circulating false alarm.

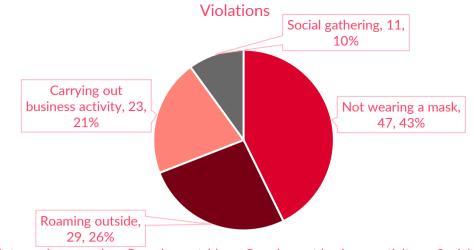
<sup>&</sup>lt;sup>4</sup> Section 3 of the ED Act makes acts of disobedience of any regulation or order made under the Act punishable under section 188 of IPC.

<sup>&</sup>lt;sup>5</sup> Section 188 punishes disobedience of orders passed by public servants.

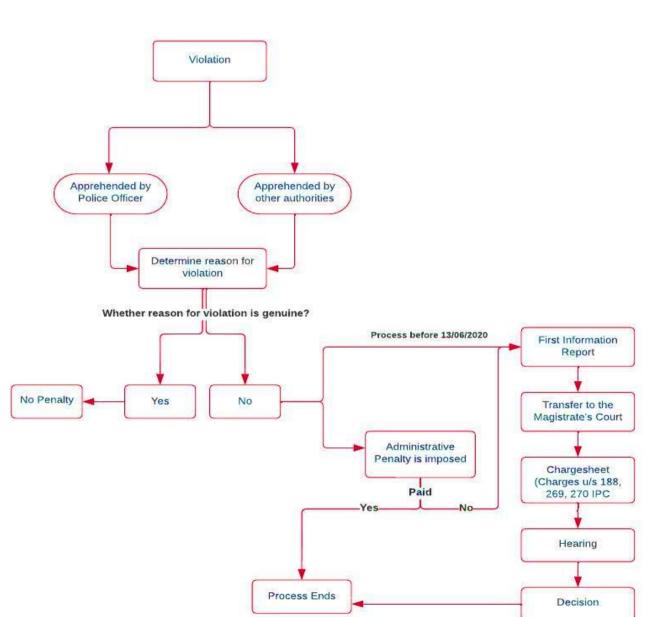
<sup>&</sup>lt;sup>6</sup> Section 269 punishes any negligent or an unlawful act likely to cause spread of infection of any disease dangerous to life.

<sup>&</sup>lt;sup>7</sup> Section 270 punishes any malignant act likely to cause spread of infection of any disease dangerous to life.

<sup>&</sup>lt;sup>8</sup> Notification No. F. 51/DGHS/PH-IV/COVID-19/ dated 13.06.2020, Government of NCT of Delhi.



Not wearing a mask Roaming outside Carrying out business activity Social gathering



Process

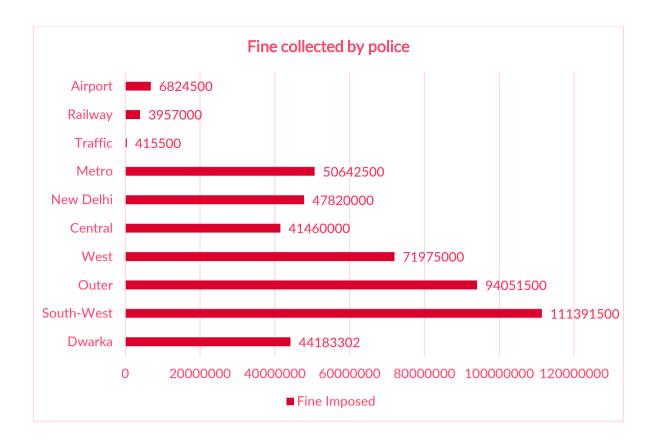
To understand how courts responded to these FIRs, we analysed the court decisions in such cases. In the 110 cases analysed, the accused plead guilty in 106 cases (96%). In 102 cases the court convicted the accused. (See Table 6)

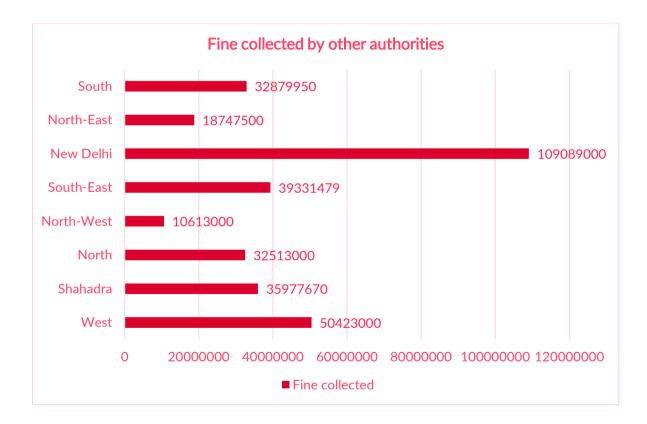
In cases where the orders were available, the accused was fined in 26 cases and admonished<sup>9</sup> in 14 cases. The fines ranged from Rs. 100 to Rs. 4400. Although imprisonment was not ordered in any of the cases, imprisonment in default of payment of fine was ordered in 14 cases.

| Table 6Data on plea taken, convictions and acquittals |                    |                       |                                      |                        |
|---|--------------------|-----------------------|--------------------------------------|------------------------|
| District  | Cases in<br>Sample | No. of<br>Convictions | No. of<br>Acquittals &<br>Dismissals | No. of Guilty<br>Pleas |
| Central   | 10                 | 10                    | 0                                    | 10                     |
| East  | 10                 | 9                     | 1                                    | 10                     |
| New Delhi   | 10                 | 10                    | 0                                    | 10                     |
| North East  | 10                 | 10                    | 0                                    | 10                     |
| North   | 10                 | 10                    | 0                                    | 10                     |
| North West  | 10                 | 10                    | 0                                    | 10                     |
| South East  | 10                 | 10                    | 0                                    | 10                     |
| Shahdara  | 10                 | 10                    | 0                                    | 10                     |
| South   | 10                 | 5                     | 5                                    | 6                      |
| South West  | 10                 | 10                    | 0                                    | 10                     |
| West  | 10                 | 8                     | 2                                    | 10                     |
| Total   | 110                | 102                   | 8                                    | 106                    |

According to the responses received to our RTI queries, from March 2020 to March 2022, over Rs. 59 crore was collected as fine by the police in nine districts and by their metro, airport, traffic and railway wings. Over Rs. 32 crore was collected by other authorities in eight districts.

<sup>&</sup>lt;sup>9</sup>A reprimand from a judge to a person accused, on being discharged, warning him of the consequences of his conduct, and intimating to him that, should he be guilty of the same fault for which he has been admonished, he will be punished with greater severity (Black's Law Dictionary, 4th ed.) Admonition is a reprimand, a censure or a reproof, warning the accused that he is being let off but in case of repetition he will be punished severely in accordance with law. (*State* v. *Ghanshamdas*, High Court of Andhra Pradesh1955).





# **Evaluating the processes**

# Policing

The government felt that imposition of fines was necessary for a 'deterrent effect' on the people.<sup>10</sup> By setting daily targets for fines to be imposed, the government sought to bolster this effort of ensuring deterrence through punishment. Our interviews with the police personnel in Delhi show how making people experience fear became central to policing.

A police officer posted in Central Delhi said it was necessary to force people to wear masks and it could only be done by creating fear in the minds of the public. Echoing these views, an officer from South-East Delhi stated that the "fine acted as a deterrent, people were more scared of the fine than the disease."

On ground, it resulted in violence against people and imposition of extra-legal punishments. Examples include police forcing people outdoors to do squats<sup>11</sup> and assaulting them<sup>12</sup>, even if they were outside to receive food rations<sup>13</sup>. Several reports emerged of the police damaging vegetable carts and lathi-charging shopkeepers.<sup>14</sup>Those targeted were invariably poor and marginalised, including migrant workers and street vendors.<sup>15</sup>

<sup>&</sup>lt;sup>10</sup> Notification No. F. 51/DGHS/PH-IV/COVID-19/ dated 13.06.2020, Government of NCT of Delhi.

<sup>&</sup>lt;sup>11</sup> 'Coronavirus Lockdown: See Images How Police Try Sit-Ups, Squats, Murga Punishments to Keep People at Home' *Financial Express* (25 March 2020) <<u>https://www.financialexpress.com/photos/business-gallery/1909261/coronavirus-lockdown-see-images-how-police-try-sit-ups-squats-murga-punishments-to-keep-people-at-home/2/> accessed 12 August 2020.</u>

 <sup>&</sup>lt;sup>12</sup> Natalie Musumeci, 'Police in India Use Force on Coronavirus Lockdown Violators' NY Post (25 March 2020)
 <a href="https://nypost.com/2020/03/25/police-in-india-use-force-on-coronavirus-lockdown-violators/">https://nypost.com/2020/03/25/police-in-india-use-force-on-coronavirus-lockdown-violators/</a> accessed
 12 August 2020; 'Police Brutality and Unwarranted Deaths Dent India's COVID-19 Lockdown' National Campaign Against Torture (NCAT) (1 April 2020) < <a href="http://www.uncat.org/banner/police-brutality-unwarranted-deaths-covid-19-lockdown/">http://www.uncat.org/banner/police-brutality-unwarranted-deaths-covid-19-lockdown/</a> accessed 12 August 2022.
 <sup>13</sup> See n 3, 26-27

<sup>&</sup>lt;sup>14</sup> Shorbori Purkayastha, 'Police Brutality: Citizens, Delivery Agents Harassed Amid Lockdown' (*The Quint*, 26 March 2020) <<u>https://www.thequint.com/news/india/police-harassing-citizens-delivery-agents-amid-covid-19-lockdown</u>> accessed 10 August 2022.

<sup>&</sup>lt;sup>15</sup> 'Policing During India's Covid-19 Lockdown: A Review of Reported Accounts of Police Excesses' (Commonwealth Human Right Initiatives 2020)

<sup>&</sup>lt;https://www.humanrightsinitiative.org/download/1616584225Policing%20during%20lockdown.pdf>accessed 10 August 2022.

# Adjudication

### A casual approach to evidentiary and procedural standards

Out of the 44 orders that we analysed, all 37 orders convicting the accused of a violation barely have any discussion on procedural and evidentiary requirements. This is because the accused plead guilty in each of these cases and the Code of Criminal Procedure ('CrPC') allows the court to directly convict them. All these conviction orders are consistently short, vague and technical. For example, in one case the court convicted the accused observing -



Convicted Acquitted/Cognisance declined

"Vide the STR Entry no. 154 of 21.04.2022 accused has been convicted for the offence u/s 188 IPC. Heard on the point of sentence. Accused is fined Rs. 100/-. Fine paid. Receipt issued."<sup>16</sup>

In four cases where the accused had pleaded 'not guilty', the accused was either acquitted or the police withdrew the case. In only four other cases, where the accused had pleaded 'guilty',



the court either acquitted the accused or refused to take cognisance on procedural grounds. Orders in such cases, however, flagged substantial issues with such prosecutions which otherwise went unnoticed.

In one acquittal order, the court highlighted the absence of -

a complaint under s. 195 of the CrPC;
 and

b) proof of knowledge of the order of the public servant.

<sup>16</sup> State v. Ram Bharose, Cr. 3133/2020 (DLCT02-006985-2020).

The court observed that "In order to convict any person for commission of offence punishable under Section 188 IPC, the court has to satisfy itself that the accused had not only violated the order promulgated by a public servant but also that the accused had actual knowledge of issuance of such order. In his statement recorded under Section 313 CrPC, the accused has specifically stated that he was not aware about the order of the ACP." After a thorough discussion of evidentiary standards, the judge concludes that "the prosecution has failed to prove its case against the accused beyond reasonable doubt." This strict scrutiny by courts is only visible in 4% of the cases.

With no discussion of the facts of the case, nor the process used to reach the conclusion, the judgments suggest a casual approach to the application of criminal law, which otherwise carries the highest procedural requirements.

### Sentencing

Our data shows that widely different punishments were ordered by courts for the same offence. For not wearing a mask, one court imposed a fine of Rs.4400<sup>17</sup>, while another ordered a fine of only Rs. 50<sup>18</sup>. (See Table 7) Further, imprisonment in default of payment of fine also varied from two days to one month for the same offence. The judgments do not indicate which principles were used to arrive at these figures. (See Annexure 3 for details on fine imposed and imprisonment ordered)

| Minimum       | Table 7Minimum & maximum fines imposed for not wearing a mask |                       |  |  |  |
|---------------|---|-----------------------|--|--|--|
| Court         | Minimum Fine (in Rs.)   | Maximum Fine (in Rs.) |  |  |  |
| Karkardooma   | 0 – Accused admonished  | 200                   |  |  |  |
| Tis Hazari    | 100   | 200                   |  |  |  |
| Patiala House | 100   | 100                   |  |  |  |
| Saket         | 1000  | 4400                  |  |  |  |
| Dwarka        | 0 - Accused Admonished  | 0                     |  |  |  |
| Rohini        | 0 - Accused Admonished  | 0                     |  |  |  |

<sup>&</sup>lt;sup>17</sup> State v. Rahul Gupta, 10 Cr Cases 4600/2020 (DLSE02-013058-2020).

<sup>&</sup>lt;sup>18</sup> *State* v. *Anas Ali*, 21 CR Cases 1770/2020 (DLET02-004955-2020).

# **Monetary Penalty**

The Government of Delhi envisaged fines as the primary punitive sanctions. FIRs were to be filed only in case of inability to pay the fine.<sup>19</sup> Initially, the fines were fixed at Rs. 500 for the first violation, and at Rs. 1,000 for subsequent violations. In the months to follow, the latter was raised to Rs. 2,000. In districts for which data is available, over 90 crores were collected as fines by the police and other authorities from March 2020 to March 2022.

Police personnel we interviewed underlined the problems with the system of imposing fines. One Sub-Inspector lamented that the "orders regarding fines were difficult to impose as people had no money" and said that the "amount of fine was excessive." Another Sub-Inspector stated that since fines were excessive, they had to be empathetic and take the financial condition of people into consideration. Many people preferred having an FIR registered instead of immediately paying a fine, as it was excessive and unaffordable. A Sub-Inspector told us: "Some people found the fine amount to be excessive and therefore preferred going to the court in order to pay a minimal fine."

Fines imposed by courts were often significantly lower, and perhaps reflected that court's took cognisance of aggravating and mitigating circumstances.

<sup>&</sup>lt;sup>19</sup> Notification No. F. 51/DGHS/PH-IV/COVID-19/ dated 13.06.2020, Government of NCT of Delhi.

# Lessons from the pandemic

The challenges thrown by the COVID-19 pandemic were unprecedented. There was no 'perfect' response to the crisis that unfolded across the country. Even then, placing criminal law at the centre of the state response, manifested misplaced priorities.

# Limit the use of criminal law

While police officers argued that using criminal law was indeed important because people were not sufficiently scared of infection, our survey of residents of Delhi suggests otherwise. Of the 330 residents we interviewed, 300 responded that they followed CAB because they were scared of COVID-19 rather than the police.

With no material evidence of the deterrent effect of punishments, it seems that the only tangible effect was criminalisation of the most marginalised sections of the society. Criminalising the failure to observe CAB, therefore, did not provide a suitable toolkit to stop the spread of COVID-19. In fact, research from other jurisdictions, including Canada and Europe, has shown that criminal law has been useful for responding to cases of "COVID-19 assault", which refers to acts ranging from spitting on others to assaulting healthcare personnel.<sup>20</sup>

Using criminal law to respond to these acts, rather than criminalising mere regulatory violations, counteracts the trivialisation of criminal law by refocusing it on acts that are committed with blatant disregard for the wellbeing of others. It thereby imposes criminal sanctions only on those who could indeed have avoided doing the act.

# Delineate the role of police

Our interviews with police personnel showed that they were not just tasked with enforcing COVID-19 containment measures. On the ground, the police were distributing food, medicines and other essentials. It was handling the large-scale migration of workers and facilitating healthcare workers in carrying out their duties. The police was also tasked with carrying out awareness campaigns and ensuring that people observe CAB. All of this with little

<sup>&</sup>lt;sup>20</sup> Estella Baker, 'The Crisis That Changed Everything: Reflections of and Reflections on COVID-19' (2020) 28 European Journal of Crime, Criminal Law and Criminal Justice 311; Alexander McClelland and Alex Luscombe, 'Policing the Pandemic: Tracking the Policing of COVID-19 Across Canada' (University of Toronto 2020) <<u>https://borealisdata.ca/dataset.xhtml?persistentId=doi:10.5683/SP2/KNJLWS</u>> accessed 7 August 2022.

guidance from the government. In fact, an officer pointed out the absence of clear guidelines and stated that the system was in chaos. Another Head Constable underlined that the orders were not clear, and that they had to come up with solutions on the spot.

Many police personnel were of the opinion that steps could have been taken to delineate their role in the government's response to the pandemic. Increased participation of other departments and a coordinated response could have helped in better handling of the lockdown.

# Improve communication & Increase capacity to obey orders

Our survey of Delhi residents showed that supportive measures, that could facilitate observance of COVID-19 containment guidelines and CAB, were lacking. Of the 330 respondents, 104 (31.5 %) said that they were not aware of any social support services made available by the government. 112 (33.9%) said that they were not aware of any financial aid schemes of the government during the pandemic. When asked what could have 'worked better', many lamented the lack of supportive measures, such as better access to essential goods and food.

Interviews suggest that enough was not done to ensure that people had access to bare minimum necessities. In fact, 165 (50%) of the respondents stated that they or their family members were stopped from going out to buy essential goods like medicines and food.

The over-reliance on deterrence through punishment failed to recognise that people did not have the capacity to obey law in the first place. It failed to recognise that absence of supportive measures could potentially encourage non-compliance with COVID-19 regulations.

# Conclusion

We conclude that the governmental response to the pandemic could have been tailored to the goals of preventing the spread of COVID-19. Instead of using criminal law to force people into compliance, the government could have encouraged voluntary compliance by providing people with vital information about the virus, essential resources and support.

The use of criminal law and policing should have been limited to only deliberate attempts at transmission of COVID-19 i.e. in cases of COVID-19 assault and finally, the legal response to

the pandemic must have been accompanied by clear communication and appropriate measures to facilitate behaviour change and action. In future, such emergencies must be encountered with carefully designed mechanisms that are feasible, proportionate and do not penalise people for the executive's failures.

# Annexure 1

# Police Station & Court wise cases in sample

| District   | Court                        | Police Station    | Cases in Sample |
|------------|------------------------------|-------------------|-----------------|
|            |                              | Burari            | 1               |
|            |                              | Sadar Bazar       | 1               |
| Central    | Tis Hazari Court             | DBG Road          | 4               |
|            |                              | Lahori Gate       | 4               |
|            |                              | Krishna Nagar     | 5               |
| East       | Karkardooma Court            | Ghazipur          | 3               |
|            |                              | Shakarpur         | 2               |
|            |                              | R K Puram         | 5               |
|            |                              | South Campus      | 2               |
| New Delhi  | Patiala House Court          | Vasant Kunj South | 1               |
|            |                              | Sarojini Nagar    | 1               |
|            |                              | Kishan Garh       | 1               |
|            |                              | Seelampur         | 4               |
|            |                              | Dayal Pur         | 1               |
| North East | North East Karkardooma Court | Bhajan Pura       | 2               |
|            |                              | Sonia Vihar       | 1               |

|            |              | Gokul Puri      | 1 |
|------------|--------------|-----------------|---|
|            |              | Khajuri Khas    | 1 |
|            |              | North Rohini    | 1 |
|            |              | Begum Pur       | 1 |
|            |              | Sultan Puri     | 1 |
|            |              | Ashok Vihar     | 1 |
|            |              | Raj Park        | 1 |
| North-West | Rohini Court | Subhash Enclave | 1 |
|            |              | South Rohini    | 1 |
|            |              | Shalimar Bagh   | 1 |
|            |              | Maurya Enclave  | 1 |
|            |              | Mangolpuri      | 1 |
|            |              | Bawana          | 1 |
|            |              | Model Town      | 3 |
|            |              | Swaroop Nagar   | 1 |
| North      | Rohini Court | Mahendra Park   | 1 |
|            |              | Mukherjee Nagar | 1 |
|            |              | Shahbad Dairy   | 1 |
|            |              | Narela          | 2 |
|            |              | Jaitpur         | 2 |
| South East | Saket Court  | Shaheen Bagh    | 2 |

|            |                   | Lajpat Nagar       | 2 |
|------------|-------------------|--------------------|---|
|            |                   | Hazrat Nizamuddin  | 2 |
|            |                   | Sun Light Colony   | 1 |
|            |                   | Pul Prahlad Pur    | 1 |
|            |                   | Baba Haridas Nagar | 2 |
|            |                   | Chhawala           | 4 |
| South West | Dwarka            | Dabri              | 1 |
|            |                   | Mohan Garden       | 3 |
|            |                   | Farsh Bazar        | 3 |
|            |                   | Shahdara           | 2 |
|            |                   | Seema Puri         | 1 |
| Shahdara   | Karkardooma Court | Welcome            | 1 |
|            |                   | Madhu Vihar        | 1 |
|            |                   | Harsh Vihar        | 2 |
|            |                   | Saket              | 4 |
|            |                   | Mehrauli           | 1 |
|            |                   | Neb Sarai          | 1 |
| South      | Saket             | Safdarjung Enclave | 1 |
|            |                   | Sangam Vihar       | 1 |
|            |                   | Malviya Nagar      | 1 |
|            |                   | Fatehpur Beri      | 1 |

|       |                  | Ranjit Nagar   | 3   |
|-------|------------------|----------------|-----|
|       |                  | Patel Nagar    | 1   |
| West  | Tis Hazari Court | Moti Nagar     | 1   |
|       |                  | Rajouri Garden | 2   |
|       |                  | Hari Nagar     | 3   |
| Total |                  |                | 110 |

# Annexure 2

# Questions for the general public

| Question   | Response  |  |
|--|---|--|
| What was your primary source of information regarding COVID-19?  | <ol> <li>Official Government Orders</li> <li>Social Media<br/>(Whatsapp/Facebook/Instagram/Twitter<br/>etc.)</li> <li>Newspapers</li> <li>Television</li> <li>Friends</li> <li>Family members</li> <li>Neighbours or other community members</li> <li>Any other source</li> </ol> |  |
| Were you aware of any COVID helplines setup by the government?   | Yes/No  |  |
| Were you aware of any social support services<br>made available by the government during the<br>pandemic?  | Yes/No  |  |
| Were you aware of any financial aid schemes of the government during the pandemic?   | Yes/No  |  |
| Did the government help you meet your daily<br>needs without having to step out of the house<br>during the lockdown?                                       | Yes/No/Partially  |  |
| How often did the police stop you or any of your<br>family members from going out to buy essential<br>goods like medicines or food during the<br>lockdown? | Often/ Sometimes/ Never   |  |
| What was your primary source of information<br>regarding the government's response to the<br>pandemic?   | <ol> <li>Official Government Orders</li> <li>Social Media<br/>(Whatsapp/Facebook/Instagram/Twitter<br/>etc.)</li> <li>Newspapers</li> <li>Television</li> <li>Friends</li> <li>Family members</li> <li>Neighbours or other community members</li> <li>Any other source</li> </ol> |  |

| Did you have access to government orders/guidelines during the pandemic?  | Yes/No/Sometimes  |  |
|---|---|--|
| Where did you find the orders/guidelines?   | <ol> <li>Government website</li> <li>Forwarded over social media</li> <li>Did not have access</li> <li>Other sources</li> </ol> |  |
| Were these government orders difficult to understand?   | Yes/No/To some extent   |  |
| Could you interpret these orders yourself or needed someone else to interpret them?                                 | <ol> <li>Did not need anyone to interpret</li> <li>Needed someone else to interpret.</li> </ol>                                 |  |
| Do you think that these orders were clear and consistent?   | Yes/No/Partially  |  |
| Do you think the government was able to communicate the threat of COVID-19 effectively?                             | Yes/No/Partially  |  |
| Do you think better communication regarding<br>the pandemic and its spread would have<br>affected public behaviour? | Definitely/To some extent/Not really  |  |
| Do you think police and criminal law should be<br>used to ensure people follow covid appropriate<br>behaviour?      | Yes/No/Sometimes  |  |
| Do you think that the government took<br>effective steps to eliminate misinformation<br>regarding COVID-19?         | Yes/No/Could have done more   |  |
| Why did you follow COVID-19 appropriate behaviour?  | <ol> <li>Because of the fear of police</li> <li>Because of the threat COVID posed</li> <li>Some other reason</li> </ol>         |  |
| What do you think the government could have<br>done to make people follow COVID-19<br>appropriate behaviour?        |   |  |
| Do you think lockdown orders would have<br>worked better if supplemented by other<br>supportive measures?           |   |  |

| What kind of supportive measures should the |
|---|
| government have adopted to ensure people    |
| follow COVID-19 appropriate behaviour?      |
|   |

# Questions for Police

| 1. | Do you think that enforcing COVID Appropriate Behaviour is a policing job?   |
|----|--|
| 2. | Do you think that the police are adequately trained and staffed to handle the public during a pandemic like COVID-19?                                  |
| 3. | What was the biggest hurdle you faced in enforcing the lockdown?   |
| 4. | Do you think the lockdown orders were clear and consistent?  |
| 5. | Do you think that the lockdown orders were implementable without having to rely on force?  |
| 6. | According to you, how practical was it to follow the procedure prescribed under the Code of<br>Criminal Procedure (CrPC) while enforcing the lockdown? |
| 7. | According to you, what would have been the best way to ensure people follow COVID-19 appropriate behaviour?  |
| 8. | What was the most common reason behind people breaking the lockdown?   |

# Annexure 3

### Information on fines and imprisonment for conviction orders

| Court       | Fine/Admonition | Imprisonment in default of payment of fine | Violation            |
|-------------|-----------------|--|----------------------|
| Karkardooma | 50              | SI for 2 days                              | Not wearing a mask   |
| Karkardooma | 50              | SI for 2 days                              | Not wearing a mask   |
| Karkardooma | 50              | None                                       | Not wearing a mask   |
| Karkardooma | 200             | SI for 2 days                              | Not wearing a mask   |
| Karkardooma | 100             | SI for 2 days                              | Roaming outside      |
| Karkardooma | 500             | None                                       | Carrying on business |
| Karkardooma | Admonition      | None                                       | Carrying on business |
| Karkardooma | Admonition      | None                                       | Not wearing a mask   |
| Karkardooma | Admonition      | None                                       | Not wearing a mask   |
| Karkardooma | Admonition      | None                                       | Carrying on business |
| Karkardooma | Admonition      | None                                       | Roaming outside      |
| Tis Hazari  | 100             | None                                       | Carrying on business |
| Tis Hazari  | 100             | SI for 2 days                              | Not wearing a mask   |
| Tis Hazari  | 100             | SI for 2 days                              | Carrying on business |
| Tis Hazari  | 200             | None                                       | Not wearing a mask   |
| Tis Hazari  | 200             | None                                       | Not wearing a mask   |
| Tis Hazari  | 200             | SI for 5 days                              | Roaming outside      |

| Patiala House | 100        | l for 1 month | Not wearing a mask   |
|---------------|------------|---------------|----------------------|
| Patiala House | 100        | I for 1 month | Not wearing a mask   |
| Patiala House | 100        | l for 1 month | Not wearing a mask   |
| Patiala House | 100        | l for 1 month | Roaming outside      |
| Patiala House | 100        | l for 1 month | Not wearing a mask   |
| Patiala House | 200        | SI for 1 day  | Carrying on business |
| Saket         | 1000       | None          | Not wearing a mask   |
| Saket         | 1000       | None          | Gathering            |
| Saket         | 1100       | None          | Gathering            |
| Saket         | 4400       | None          | Not wearing a mask   |
| Dwarka        | 100        | SI for 2 days | Gathering            |
| Dwarka        | Admonition | None          | Not wearing a mask   |
| Dwarka        | Admonition | None          | Not wearing a mask   |
| Dwarka        | Admonition | None          | Not wearing a mask   |
| Dwarka        | Admonition | None          | Roaming Outside      |
| Dwarka        | Admonition | None          | Roaming Outside      |
| Dwarka        | Admonition | None          | Carrying on business |
| Dwarka        | Admonition | None          | Carrying on business |
| Rohini        | Admonition | None          | Not wearing a mask   |
| Rohini        | Admonition | None          | Roaming Outside      |

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