

40-3/2020-DM-I(A)
Government of India
Ministry of Home Affairs

North Block, New Delhi
Dated 22nd April, 2021

ORDER

Whereas, an Order bearing No. 40-3/2020- DM-I(A) dated 23.03.2021, alongwith guidelines for effective control of COVID-19 have been issued under section 10(2)(I) of the Disaster Management Act, 2005 (*hereinafter referred to as the DM Act*) wherein, inter alia, it is mandated that there shall be no restriction on inter-State and intra-State movement of persons and goods;

And whereas, due to rapid rise in COVID-19 cases and with increasing case positivity rate, various States/UTs have imposed some additional restrictions on certain activities and weekend lockdowns/curfews etc. to break the chain of transmission and to contain the spread of Covid-19;

And whereas, the availability of adequate and uninterrupted supply of Medical Oxygen is an important pre-requisite for managing moderate and severe cases of COVID-19 and with the increasing cases, the medical oxygen supply will need to keep pace with the requirements of the States/ UTs;

And whereas, medical oxygen is an essential public health commodity and any impediment in the supplies of Medical Oxygen in the country may critically impact the management of patients suffering from COVID-19 disease in other parts of the country;

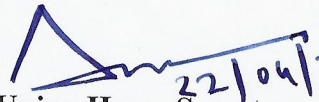
And whereas, Empowered Group-II (EG-II), is mandated for coordinating medical logistics, including medical oxygen. EG-II has reviewed the supply of oxygen for industrial use in order to divert the same to meet the rising demand for medical oxygen in the country and save precious lives. Accordingly, EG II has recommended to prohibit the supply of Oxygen for industrial purposes by manufacturers and suppliers forthwith from 22.04.2021 till further orders, with the exception of nine specified industries. The recommendations of the EG-II have been accepted by the Central Government and the said decision, alongwith the list of nine exempted industries, have been conveyed by Secretary, Ministry of Health & Family Welfare, vide his DO letter dated 18th April 2021 (**Annexure-I**).

And whereas, keeping in view the requisitions of Medial oxygen and to ensure smooth supplies of it to the States/ UTs concerned, EG-II, in consultations with the States/UTs and oxygen manufactures etc., prepares supply plan, which is required to be followed by all States, UTs and all the agencies concerned. The oxygen supply plans, as revised from time to time by EG-II based on the assessment of the situation, are circulated by MoHFW to all the States/UTs concerned, and the last revised plan has been circulated vide MoHFW letter dated 21.04.2021 (**Annexure II**);


22/04/2021

Now, therefore, to ensure the uninterrupted supply of medical oxygen across the country for management of COVID-19 patients, in exercise of powers conferred under section 10(2)(l) of the DM Act, the undersigned, in the capacity as Chairperson, National Executive Committee, hereby directs the State/Union Territory Governments and State/ Union Territory Authorities to ensure the following measures within their areas of jurisdiction:

- (i) No restriction shall be imposed on the movement of Medical Oxygen between the States and transport authorities shall be instructed to accordingly allow free inter-state movement of oxygen carrying vehicles;
- (ii) No restrictions shall be imposed on oxygen manufacturers and suppliers to limit the oxygen supplies only to the hospitals of the State/ UT in which they are located;
- (iii) There shall be free movement of oxygen carrying vehicles into the cities, without any restriction of timings, while also enabling inter-city supply without any restriction;
- (iv) No authority shall attach the oxygen carrying vehicles passing through the district or areas for making supplies specific to any particular district(s) or area;
- (v) Supply of oxygen for industrial purposes, except those exempted by the Government, is prohibited w.e.f. 22nd April, 2021 and till further orders;
- (vi) States/UTs shall strictly abide by the supply plan of medical oxygen prepared by EG-II and as revised from time-to-time;
- (vii) The District Magistrates/ Deputy Commissioners and Senior Superintendents of Police/ Superintendents of Police/ Deputy Commissioners of Police will be personally liable for implementation of the above directions.


22/04/2021
Union Home Secretary

and, Chairman, National Executive Committee (NEC)

To,

1. Secretaries of Ministries/Department of Government of India
 2. Chief Secretaries/Administrators of States/Union Territories
- (As per list attached)

Copy to:

- i. All members of the national Executive Committee
- ii. Member Secretary, National Disaster Management Authority



भारत सरकार

स्वास्थ्य एवं परिवार कल्याण विभाग
स्वास्थ्य एवं परिवार कल्याण मंत्रालय

Government of India

Department of Health and Family Welfare
Ministry of Health and Family Welfare

D.O. No.17/S(HFW)/MO/2021

18th April 2021राजेश भूषण, आईएएस
सचिवRAJESH BHUSHAN, IAS
SECRETARY

The Empowered Group-II (EG-II) headed by Secretary, Department for Promotion of Industry & Internal Trade (DPIIT) is mandated by Govt. of India to manage requisite supplies of medical equipments, drugs including medical oxygen across the country in the wake of resurgence of COVID-19 cases. Medical oxygen is one life saving drug, whose supplies are being regularly monitored and managed by this Group.

2. There has been a significant surge in the demand for medical oxygen. Department for Promotion of Industry and Internal Trade (DPIIT) has conveyed that this has already reached about 60 percent of the total daily Oxygen production, and is expected to rise further.

3. While every effort is being made to meet the rising demand for medical oxygen, including augmenting daily production and stocks and States/UTs are taking appropriate steps for optimum and rationalized utilisation of available stock of oxygen, the present trend necessitates additional measures. The matter has been deliberated by the DPIIT with all the stakeholders and after due deliberations, it has been considered prudent to restrict industrial usage of oxygen to meet the rising demand for medical oxygen.

4. Accordingly, the EG-II has recommended that the supply of Oxygen for industrial purposes by manufacturers and suppliers be prohibited forthwith from 22.04.2021 till further orders. This recommendation has been accepted & the said prohibition on supply would come into effect from 22/04/2021.

5. The aforesaid prohibition, however, shall not apply to the supply of oxygen for the industries listed hereunder:

- i) Ampoules & Vials
- ii) Pharmaceutical
- iii) Petroleum refineries
- iv) Steel plants
- v) Nuclear energy facilities
- vi) Oxygen cylinder manufacturers
- vii) Waste water treatment plants
- viii) Food & water purification
- ix) Process industries which require uninterrupted operation of furnaces, processes, etc. as approved by respective State governments

6. The industrial units (other than those listed above) which would not be in a position to obtain oxygen are advised to consider alternate measures such as import of Oxygen or setting up their own Air Separator Units (ASU) for generation of Oxygen for their captive requirements.

.....contd/-

7. All Chief Secretaries are advised to ensure effective implementation & compliance of this Order.

Yours sincerely


(Rajesh Bhushan)

**Chief Secretary /Administrator
All States/UTs**

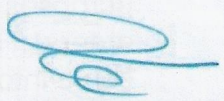
Copy to : **Principal Secretary to PM** for information


(Rajesh Bhushan)

Copy to : **Cabinet Secretary** for information


(Rajesh Bhushan)

✓ Copy to : **Home Secretary** with the request to issue appropriate directions to States / UTs to facilitate effective implementation of the above Order.


(Rajesh Bhushan)



भारत सरकार
स्वास्थ्य एवं परिवार कल्याण मंत्रालय
निर्माण भवन

GOVERNMENT OF INDIA
MINISTRY OF HEALTH & FAMILY WELFARE
NIRMAN BHAVAN

निपुण विनायक, भा.प्र.से.

संयुक्त सचिव

NIPUN VINAYAK, IAS

Joint Secretary

D. No:17/S(HFW)MO/2021

Dated:21st April, 2021

Dear Madam/Sir,

In continuation of the orders issued on 15th April and 18th April 2021 regarding supply plan for medical oxygen, an updated Order as below is being issued for the States of Maharashtra, Gujarat, Karnataka, Madhya Pradesh, Delhi, Haryana, Uttar Pradesh, Punjab, Tamil Nadu, Kerala, Chhattisgarh, Rajasthan, Telangana, Andhra Pradesh, Uttrakhand, Jammu and Kashmir, Goa, Chandigarh and Himachal Pradesh.

This is keeping in view increased demands from the States on quantity of Oxygen supply and its source. The supply plan has been done as recommended by the DPIIT in consultation with States, Oxygen manufacturers, AIIGMA and Steel Ministry under the overall guidance of the Empowered Group-II.

Yours Sincerely,

Nipun Vinayak
(Nipun Vinayak)

Addl. Chief Secretary/ Principal Secretary/ Secretary (Health)

Maharashtra, Gujarat, Karnataka, Madhya Pradesh, Delhi, Haryana, Uttar Pradesh, Punjab, Tamil Nadu, Kerala, Chhattisgarh, Rajasthan, Telangana, Andhra Pradesh, Uttrakhand, J&K, Goa, Chandigarh and Himachal Pradesh.

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