

COVID – 19 Lockdown

Permission to Operate for Industries and Establishments

1. Lockdown Orders

- (a) The nationwide lock down went into effect on March 25, 2020 closing all factories and commercial establishments and restricting movement of vehicles and persons.
- (b) The only exception is for those entities manufacturing or providing essential commodities/services (ECS) and movement of commodities/services.
- (c) The central and state governments have been issuing circulars on an ongoing basis to clarify which entities fall within this group.
- (d) A summary of the circulars from certain key commercial hubs as on April 2, 2020 is available [here](#).

2. Applicability

- (e) Circulars tend to use broad definitions of sectors and services to identify ECS entities. More often than not, you will be able to determine whether you fall within that group or not. If you do, then you don't need active permission to function (in most cases). *Check and determine whether you fall within this group.*
- (f) However, you will still need to inform the local authority (identified in local circulars in your district) that you are operating. Forms for such reporting are being issued at district or state levels. Please check your local district/state authority website for the form. *BTG maintains a list of state level authorities and contacts in certain states. Please contact us, if required.*
- (g) In such a case, the local authority will usually:
 - Ask you to operate with bare minimum staff/employees;
 - Ask you to apply for movement permits for both people and goods; and
 - Ask you to submit a detailed plan of action to mitigate the COVID-19 threat. *See "Operations SOP" prepared by BTG for more information on this.*

3. Applicability in Doubt

- (h) In certain cases, you may be unsure whether you are an ECS entity. In some other cases, even if you are sure, the relevant authority may be unsure.
- (i) In such a case, seek written clarification from the authority or submit evidence that helps justify your case as an ECS entity – if indeed you are one. *BTG has prepared a template of this letter and can share this with you, if requested.*
- (j) In most cases, authorities have taken a reasonable view and have provided approvals for deserving ECS applications. However, this might take time because of the volume of requests that are being made.

4. Post Permission

- (k) If operating as an ECS entity, *display the relevant circular* in prominent places in the unit premises;
- (l) For the purposes of ensuring staff support, please reach out to local authorities (usually the local commissioner) to *obtain a movement pass for your employees*, to allow their easy and safe travel to and from work.
- (m) *Follow mitigation measures* listed in the Operation SOP.

[BTG maintains all material on the ongoing COVID-19 crisis and legal implications here. Please click to access.](#)