



## Epidemic Disease Act, 1897

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### Why in News

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Recently, the Union government directed States and Union Territories to invoke the **Epidemic Disease Act, 1897** to fight the **Covid-19 outbreak**.

The colonial-era Act empowers the state governments to take special measures and prescribe regulations in an epidemic. It also defines penalties for disobedience of these regulations, and **provides for immunity for actions** taken under the Act **“in good faith”**.

### Important Provisions

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- **Aim:**
  - 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 post and the power to detain any person intending to sail or arriving in the country.
- **Penalty for Disobedience:**

**Section 3** provides 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.

## Background

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- **Context:** 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.
- **Global Concern:** The government of the day was also concerned that several countries were alarmed by the situation in India. As **Russia** had speculated that the **whole subcontinent** might be infected due to plague.

## Plague

- Plague is caused by the **bacteria Yersinia pestis** usually found in small mammals and their fleas.
- There are **two** main clinical forms of plague infection: **bubonic and pneumonic**.
  - Bubonic plague is the most common form and is characterized by **painful swollen lymph nodes or 'buboes'**.
  - Pneumonic plague is a form of **severe lung infection**.
- Plague is **transmitted between animals and humans** by the bite of infected fleas, direct contact with infected tissues, and inhalation of infected respiratory droplets.
- **Antibiotic treatment is effective** against plague bacteria, so early diagnosis and early treatment can save lives.
- Currently, the three most endemic countries are the Democratic Republic of the Congo, Madagascar, and Peru.

## Recent Changes in the Epidemic Diseases Act, 1897

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- 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.

**Source:IE**