

Islamic Strategies and State Measures Through Legislation for Prevention of Covid-19: Pakistani and Indian Perspective

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Abstract

Islam is the religion of all times and all places. It is an adaptable, assimilative, and accepting religion that gives an unrivalled blueprint for its members to live a life of distinction. It provides guidance to its adherents in all aspects of life, whether in the past, present, or future. Therefore, if he faces some calamity or tragedy, a true believer still looks towards Islam. The recent epidemic of COVID-19 calls for a step forward in the development of coping mechanisms based on Islamic teachings. As a result, the purpose of this essay is to evaluate the guidelines provided by Islam to its adherents in order to avoid and deal with the pandemic. Immunologists and the World Health Organization (WHO) today believe that over 1500 years ago, Prophet Muhammad (SAW) was also advised as protective measures to remain safe from global contagion. Islam also advocated obtaining medical attention, consuming the right foods and beverages, supplications, and obeying Allah's will (Pre-destination). This study points out that it is impossible to assume that a Prophet with no scientific experience already knew, step by step, around 1,500 years ago, what to do during a pandemic that is still relevant in the twenty-first century. It follows that the primary aims of the Shariah include both the protection of faith and the preservation of

life. It also states how Pakistani and Indian states have 23% of Muslims follow these Islamic rules and tackle the pandemic through legislation.

Keywords: Covid-19; Islam, Outbreak, Legislation

Introduction

Coronavirus, also known as Covid-19, is a pandemic that began in Wuhan, China, and is now impacting and killing millions of people worldwide. It is believed to have started in pigs ¹. Coronavirus spreads by droplets when an infected person coughs or sneezes into the mouths or noses of those close to the infected person ². Experts in the medical industry indicate that people can become infected by the coronavirus by touching contaminated surfaces and touching their eyes, nose, or mouth. To prevent the spread of this coronavirus, they recommended that people keep a minimum distance of six feet between themselves and anyone who is sneezing or coughing; wash their hands before and after eating; cover their mouth and nose with a flexed elbow or tissue when coughing, and maintain a high level of personal hygiene at all times ³. Islam is a complete religion that is suitable for all eras and places of existence. This has resulted in Allah saying, "This day I have perfected for you your religion and completed My favour upon you and have approved for you Islam as your religion" (The Quran, 5:3).

Also, Allah confirmed that the Prophet Muhammed (SAW) is the best example for all humanity (The Quran, 33:21). As a result, whatever challenges or issues Muslims are confronted with, they must turn to Allah's commands and the Prophet Muhammad (SAW) for guidance. Since there is nothing else in Muslims' life other than the fact that Islam has supplied a solution. As a result, Islam takes a unique approach to dealing with pandemics, and it has also urged its adherents to take preventative measures against diseases both before and after their emergence. The first section of the paper provides Islamic teachings on two stages to prevent the coronavirus. The second section studies the state measures through legislation in two countries, Pakistan and India, where more than 21.9% of the world's Muslims live.

Islam is a holistic belief system that considers individuals and societies' physical, mental, emotional and spiritual well-being. Islamic teachings, as a

divine religion, have provided solutions to all of the world's problems, including those of humanity. Consider Islam as an example, which seeks to build a healthy and immunological community against contagious diseases, as well as a healthy person through its teachings (in both body and mind). This results in an innovative two-stage method to controlling the spread of viruses such as coronavirus. That is, both before and after the disease's onset, as follows:

Literature Review

Arnout et al. mentioned that among the events recorded in 2020 is the spread of the Coronavirus (COVID-19) by how soon it spreads and the rises in the number of cases and the number of deaths in all countries of the world⁴. Al-Eid, Al-Ghanim, et al. argues that the Quran and the Sunnah are the basis for the rules of Islam, which regulate every aspect of a Muslim's life. The Holy Quran is a source of how to submit to God's will when faced with different situations in life. The Sunnah is described as being complemented to the Quran, the sayings and practices of the Prophet Muhammad⁵. Islam is not limited to the mosque only, but it is a guide for everyday life in all respects. The rules of Islam influence not only spiritual development but also everyday routines⁶. From the Islamic perspective, human health may be adversely impacted by Covid-19⁷. Islam has superseded contemporary cultures by developing the notion of quarantine and hygienic treatment of deadly diseases⁸.

Before the Outbreak:

Islam calls on its followers, in the Holy Quran and the Hadith of Prophet Mohammed, to protect them from disease before any illness starts:

Cleanliness

The Prophet drove cleanliness to keep his followers from any global infection by good hygiene and quarantine about 1500 years ago. Islam places a high value on cleanliness at all stages of life by adhering to these standards of good hygiene. For example, the Prophetic writings state that purity is half faith; as a result, Islam has made ablution a necessity for the validity of the prayer in order to ensure its validity ⁹. Once, the Prophet said to his companions, " Will there be any soiling left in him if there is a river at one of your doors where he takes a bath five times a day?" They replied, " No, soil will be left

on him." The Prophet said, " That is the five mandatory prayers, and as a result of performing them, Allah obliterates all sins" ¹⁰. According to the Prophet, " If I did not think it was difficult for my Ummah, I would have ordered the Miswak to be used before every prayer" ¹¹. In order to safeguard Islamic bodies from infections and viruses, it is necessary to wash one's hands and use tooth sticks regularly. Muslims are also instructed to facilitate a number of actions by maintaining a fresh and clean body. Islam requires that Muslims wash their private parts after using the toilet and that they ensure that they are clean prior to prayer before proceeding.

Washing Hands

In all circumstances, Islam places great emphasis on handwashing for good hygiene. First, before offering salat, a Muslim should perform ablution, where washing hands is an inescapable sine qua non. A Muslim, therefore, repeatedly washes his hands night and day! Allah says, "O believers! When you rise up for prayer, wash your faces and hands up to the elbows, wipe your heads, and wash your feet to the ankles. And if you are in a state of 'full' impurity, then take a full bath" (Quran, 5:6).

In Islam, therefore, shaking hands with fellow Muslims is not obligatory. It initiates a greeting which is regarded as a recommended act and only requires a response to salutations. Shaking your hands from infected people in Islam is also discouraged and thwarted.

Food Intake

Islam has made all the right foods and drinks legal for Muslims and made everything that causes harm to their bodies illegal for them. (Quran, 7:157). According to research, consuming illegal meat can result in serious health consequences. Pork and pork products, for example, which can contribute to a variety of ailments. The Prophet said, "Truly, Allah is pure, and He loves purity..." Allah never put my Ummah's (followers) cure in substances that have been made lawful for them" ¹². Many researchers have shown that consuming unlawful meat causes serious diseases. " A man never filled a vessel that was worse than his stomach", ¹³ the Prophet urges Muslims to be moderate in eating legally binding food and drinks. He also directs that food and beverages be covered. Adultery and homosexuality are likewise prohibited by Islam, and they are considered to be among the leading causes of many

diseases. As a result, Islam has established rules for relations with people of the opposite gender. In addition, the Holy Prophet outlawed urinating and defecating near water sources such as wells, rivers, and coastlines.

Covering Mouth when Sneezing and Coughing

As an aside, the Prophet Muhammad (SAW) was a proponent of mouth covering during sneezing and coughing, as evidenced by the fact that he used to cover his mouth with his hand or with a piece of cloth anytime he coughed¹⁴. This essential etiquette can make a major difference in the prevention of the spread of infections. When he sneezed, he urged the Muslims to cover their mouths with their hands. It demonstrates the Islamic perspective on coughing and sneezing in public. Because the Prophet was aware that the most evident consequences of sneezing or coughing without covering one's mouth are the spread of airborne bacteria and viruses, he advised people not to do so. Droplets that are invisible to the naked sight may fall onto surfaces or onto other people.

After the Outbreak

Ban on Travelling

When it comes to preventing the transmission of sickness, the Prophet emphasized the need of travel prohibitions to areas polluted with any disease, such as coronavirus, among other things. For example, Abdul-Rahman Ibn Awf reported that I have heard Allah's Messenger say, " If you hear that the plague is in any area, do not go there, and do not leave or flee from it if it breaks out in the land where you are" ¹⁵. The Prophet also says: " An ill person should not be mixed with people who are healthy" ¹⁶. He also says in another hadith: " The way a person flees from a lion, avoid a (contagious) disease". When the epidemic of Amaws broke out in Syria in 18 A.H., Caliph Umar travelled to the country to see the situation. After consulting with his counsellors, he decided to return to Madinah, the capital, rather than continuing the journey. One of them said, "So the plague ought not to end you; you left for the sake of Allah." Umar decided to return to the Madīnah. Abū Ubaydah reproached him, " Are you fleeing from the Decree of Allah?" He replied, "Oh, yes, I flee from the decree of Allah" ¹⁷. If you had camels and they entered a two-sided land, one fertile and the other barren, and you grazed them in a fertile place, would you not do so by the decree of Allah?

And if you let them graze in a barren area, don't you?" The argument of Al Umar is an excellent example of how to manage dependency on Allah and precautions.

The wisdom holds that it is necessary to prepare for the worst case scenario before realizing otherwise and acting accordingly. This is the very first concept of the Islamic containment illness method, and it is also the most important. It is this that, unknowingly, keeps potential carriers from spreading infections and ailment from spreading. It is a principle that leads to the divine that is written in the Quran; the rewards given for any act of charity that results in the preservation of human life will be the same as the benefits given for any action that results in the preservation of the entire human race, and vice versa.

Quarantine

When the Prophet Muhammad preached over 1500 years ago, he recommended numerous ways, one of which was quarantine (SAW). He provided directions to his followers, for example, on what to do in the event of a pandemic disease such as coronavirus spreading, which included advice on quarantine. He further urged them not to travel to areas where the sickness was prevalent, and he cautioned those who had already travelled to avoid spreading the disease farther afield in areas or villages that had been polluted¹⁸. "Run away from the leper (the one with contagious ailment) as you would run away from a lion." The plague was defined as a specific sickness or as any widespread disease (pandemic) that results in a large number of fatalities. The plague was either a specific sickness or any widespread epidemic (pandemic) that resulted in a large number of fatalities. The Holy Prophet further stated that people who remain at home to safeguard themselves are protected by Allah. He also recommended that patients avoid seeing those who are in good health. Of course, the Hadith does not refer only to the plague; it also refers to any infectious disease or germ that can travel through the air, pollute the environment, or transfer from place to place, such as the coronavirus.

Social Distance

In Islam, precautions such as social isolation are frequently advocated in order to prevent the spread of infectious diseases. For example, Allah's Messenger

said: "An individual who is ill should not mix with a safe person" ¹⁹. He commands in another hadith: "Those with contagious diseases should be kept away from those who are healthy" ²⁰. Again, he admonishes his followers, "The way a human flees from a lion, escape a contagious illness" ²¹. As a result, anyone who has tested positive with a pandemic or contagious disease such as Covid19 is prohibited from attending community gatherings in order to avoid causing harm to others. Further, according to Imam Ibn Abdul Barr, "anything that can make one's fellow worshippers in the mosque uncomfortable, such as someone who is suffering from diarrhoea" is prohibited. Indeed, it has been reported that the Prophet himself practised social distancing because a leprosy patient once attempted to pledge his loyalty to him, which would have required him to touch or hold the Prophet's hand, an act which would have required him to touch or hold the Prophet's hand. And the Prophet graciously communicated with him after giving him the order to keep a safe distance.

Isolation

Regarding isolation, the Prophet instructed that sick individuals should not bring the society into disrepute. He said: "Do not place a patient with a person who is healthy". This lesson was also applied to animals; he added that: "Cattle suffering from the disease should not be combined with healthy cattle" ²². According to historical records, the Muslims also practised isolation throughout the Prophet's lifetime. For example, Umar is reported to have once encouraged a leprosy woman to return to her home after she was informed by a man that the person who had forbidden her from returning had died, allowing her to freely walk around the Kabah as she pleased after the death of Umar. She replied, "You think I will not obey him when he is alive, and when he has passed away, I will disobey him." This is indeed a beautiful example that reflects the Prophet's spiritual power and impact and his correctly guided Khulafa ²³.

Islam also advises that a person should avoid the agony and suffering that can occur from various communicable and fatal diseases by practising good hygiene. The proof is the Prophet's words: "You should not put a sick camel with healthy ones" ²⁴. Camel owners who have camels who are sick with eating or other ailments should avoid transporting their camels to lands or

water where the owner of healthy camels is transporting his camels, for fear that the disease would be transmitted from the sick camels to the healthy camels and spread further. The Prophet also said: "Flee from the leper as you would flee from a lion" Diseases cannot become contagious on their own, as the Prophet said: "There is no 'adwa (contagion) and no tiyarah (superstitious belief in bird omens)" ²⁵. These diseases are not contagious in and of themselves; rather, Allah makes them contagious by making them transmissible, and He implanted in them the mechanism that allows the sickness to spread from one person to the next. As a result, mixing became a source of the sickness, and individuals should avoid the conditions that allow the ahadith instructions and directions to spread the disease. According to the evidence, if diseases are transferred through contact with those who are afflicted by them, the transmission occurs solely as a result of Allah's will. It is possible to socialise with others without becoming diseased with Allah's protection.

Do not Harm Others

One of Prophet Muhammad's (SAW) Hadiths, which is a fundamental rule on which Islamic jurisprudence is built, says, "Do not harm yourself and others" ²⁶. According to Shariah, anything that can harm yourself or others must be avoided. It is forbidden for Muslims to harm their bodies or those of others. That is why the Glorious Quran emphasizes that Muslims should not pursue the path of perdition. Similarly, the Prophet Muhammad (SAW) added: " If anyone believes in Allah and the Last Day, his neighbour should not be harmed" ²⁷. This can be physically extended to the individual next to you.

Medical Treatment

As the Prophet has taught, Islam seeking medical treatment is a practical and progressive system based on faith. It was reported that some people thought during the Prophet's lifetime that using the medicine for an ailment might go against the notion of (tawakkul) that depends on Allah alone. They asked, "Should we use the medicine, O Messenger of Allah?" The Prophet replied, " Yes, you may use medicine because without also creating its cure, Allah has not created any disease, except one: old age" ²⁸. He explained that medicine is acceptable and even encouraged, and that it does not conflict with the

principle of reliance solely on Allah, as was previously stated. One of his hadiths indicated that the key to a successful treatment was to seek medical attention while also putting one's trust in Allah and nothing else: "There is a cure for every disease. Suppose a treatment for the disease is applied. It is relieved, in that case, by the permission of Allah Almighty." History also has it that taxes collected in the treasury (bait-ul-mal) of the Government, which was conceptualized during the lifetime of the Caliph Umar was even reported to be travelling to Syria; he came across some leprosy-afflicted Christians. He ordered them to immediately receive a medical allowance to seek medical treatment from the government treasury. He also ordered Muslims to keep a close watch on prisoners and provide them with their medical needs as required.

Submission to Will of Allah (Pre-destination)

When incidents like coronavirus occur, a Muslim must believe that Allah has decreed. " Fifty thousand years before the formation of the heavens and the earth, Allah had written down the decreed measures (and proper proportions) of the creation... "Fifty thousand years before the formation of the heavens and the earth, Allah had written the decreed measures (and proper proportions) of the creation... According to al-Qadr, "no slave of Allah will honestly believe until he thinks that both good and evil are from Allah, and until he knows that whatever happens to him will not miss him and whatever happened to him in the past will not happen to him in the future." No slave of Allah will honestly believe until he believes in al-Qadr; until he understands that Allah is the source of his good and evil; and until he understands that whatever occurs to him, he will not miss him and that what he missed will not happen. The Prophet Muhammad also stated in another hadith that "He who dies in an epidemic is a martyr." Atik ibn al-Harith informed him that the Prophet had asked him: What do you consider to be a martyr dying? Yahya recounted this in Al-Muwatta from Malik from Abdullah ibn Jabir ibn Atik, who said that the Prophet had asked him: What do you consider to be a martyr dying? "Someone who is slain by the epidemic is the first person to be mentioned as a martyr," the Prophet said.

State Law Measures to Control Pandemic

Pakistan

The Epidemic Diseases Act of 1897 was passed when Pakistan was established. This Act was intended to prevent the spread of dangerous epidemic diseases. In 1958, it was modified and renamed the Epidemic Diseases Act of West Pakistan in 1958. But Pakistan was replaced with India by the only amendments in the text ²⁹.

With the exception of the Sindh Epidemic Diseases Act, 2014 and the Epidemic Diseases Act of 1958, Pakistan has no amended version of the 1897 Law ³⁰. However, the two statutes are not very useful because they are short and do not adapt to our current situation.

In view of the enormity of problems and doubling cases with every day that passes, the Punjab Infectious Diseases (Prevention and Control) Act 2020 was adopted on 11 August, which seeks to "making provisions for the prevention and control of infectious diseases in Punjab and ancillary and related matters" ³¹.

There is also the ability for a Secretary (e.g. a cabinet secretary in charge of primary and secondary health) and, in some cases, doctors, to impose limitations and duties on how to deal with infectious persons and locations such as meetings and conventions. It contains step-by-step directions on how to treat those who have contracted the illness. Sections 17-20 of the Ordinance further categorise the severity of an infected person's offence based on the extent of infection. While it is commendable that the Punjab government enacted these regulations, many of the instances not addressed by the Ordinance are not applicable.

A source said Sindh Cabinet approved the Emergency Relief Order 2020, Sindh Covid-19, to provide relief and address the lock-in challenges across the province ³². 'The Government submits, after its approval, that the Ordinance would provide equal relief for home and business owners, employees and wage workers; extend the time limits of payment of school fees, rental and utility charges, conduct a proceeding or prosecution and extend the time limits of court or office duties. According to the Ordinance, no educational institution will charge more than 80% of total monthly fees, according to the relief provided by the Ordinance. No employee or worker shall be dismissed, terminated or removed, added, paying the employer's salary. The landlord shall postpone or suspend the rent recovery, provided

this does not apply where the holder has a widow, a person with different capacity, a senior citizen,' the amount payable as set out in Schedule III', citing the draft decree. The decree proposes a maximum fine of Rs1 million to violate government orders or guidelines to contain the propagation of the virus. Similarly, apartments up to 800 square meters are exempt from the water bill's payment, while significant discounts are also available to other customers.

The Khyber Pakhtunkhwa Epidemic Control and Emergency Relief Ordinance, approved by the Chief Minister, empowered the health minister to identify severe and imminent health hazards across the province in 2020³³. The Ordinance authorizes the Health Services Director General to assign duties for recording, communicating and treating cases of infection or contamination to all registered health care practitioners and health facilities; or to impose one or more restrictions and restrictions on persons, objects or premises requiring that they undergo special medical examinations to be disinfected.

India

For the first time in former British India, the Epidemic Diseases Act, 1897, was passed in Mumbai (then known as Bombay) in order to combat the bubonic plague. Aiming to contain epidemics, the code grants the unique powers essential for the adoption of containment measures to prevent disease transmission from spreading further.

A number of diseases, including swine flu, malaria, and dengue fever, have been prevented in India as a result of the implementation of the Act. Following the outbreak of cholera in a part of Gujarat in 2018, the Act was put into effect in that state. In 2015, it was used to treat dengue and malaria in Chandigarh, while in 2009, it was utilised to fight swine flu in Pune. The Act will be implemented across the country starting in March 2020 in order to restrict the spread of coronavirus disease in India during the COVID-19 pandemic that began in 2019.

According to this Act, any individual who disobeys any regulation or order imposed by the government is considered to have committed an offence punishable under Section 188 of the Indian Penal Code. A fine of up to one

thousand rupees, or imprisonment with description for a period of up to six months, is the punishment under this law.

According to the Government of India, an order to alter the Act 'The Epidemic Diseases (Amendment) Ordinance 2020' would be enacted on April 22, 2020, which will include provisions to punish doctors or health workers who harm them. In the case of an attack on a doctor or a health worker, including ASHA employees, the Ordinance provides for a maximum sentence of seven years in jail. There will be no bail and no cognizability for the offence, among other aspects of the law. In addition, such cases must be examined in a timely manner and settled within one year of their discovery. In addition, the legislation stipulates that the culprit would be required to pay twice the market value of the destroyed property as compensation for causing damage to the assets of health-care personnel, such as their vehicles and clinics. Following the outbreak of the COVID-19 pandemic on March 11, 2020, the Cabinet Secretary of India declared that Section 2 of the Epidemic Diseases Act of 1897 will be invoked by all states and territories of the Union, effective immediately.

Recommendations/ Conclusion

Researchers and scientists from Muslim countries should collaborate in order to discover a vaccine against this virus as soon as possible. Islamic teachings include the belief that Allah has created a cure for every ailment, which necessitates the need for perseverance. Muslims should strive to instil optimism and convey positivity in order to eliminate rumours and the propagation of incorrect news and information. After all, Allah's will and decree are the only things that can occur. Infected individuals should adhere to safety precautions, be patient, pray to Allah for a full recovery, and remember that patience is highly rewarded during times of illness and hardship.

It is mandatory for people who are suspected of being infected to avoid mosques and other crowded meetings until they have been examined and determined not to be infected. In Islam, it is considered bad and wicked to act in a different manner. Islam condemns self-harm as well as injuring other people. More than that, Islamic regulations were so sensitive to other people's feelings that the Prophet instructed his Companions not to go to the mosque

after eating garlic so as not to upset other worshippers with the odour of garlic. If you adhere to these rules, staying away from the mosque will be a top priority in the event that an infectious sickness spreads to others.

People should not go outside of the country where the virus has spread in order to protect themselves. A Hadith from the Prophet states that "if the country or territory infected leaves, has other justifications than avoiding the sickness, and is permitted by health authorities, such as assisting authorities in efforts to limit the epidemic, then it is Islamically permissible."

On Fridays and during regular prayers at the Mosques, it is permissible to interrupt them because to the epidemic. Because the preservation of human life is considered to be one of the most important goals of Islamic jurisprudence, if there is substantial evidence that the epidemic will spread more quickly through large gatherings such as Friday prayers and common prayers, these communal prayers should be cancelled until the epidemic has been contained.

Islam advocates the use of all available ways of protection against infectious diseases such as the coronavirus. When the Prophet (SAW) was questioned whether such preventative measures would prevent Allah's fate from occurring, he (SAW) responded that it was part of Allah's plan. To combat pandemics, all states must adhere to the principles established by Islam and enact legislation that complies with these rules.

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