

क्र.संगाबाअवि/१/१०९/२-३६४/२०२०

दिनांक - १.६.२०२०

विषय - राज्यात कोरोना विषाणू (कोव्हीड-19) चा प्रादुर्भाव रोखण्यासाठी प्रतिबंधात्मक उपाय

संत गाडगे बाबा अमरावती विद्यापीठ व संलग्नित सर्व महाविद्यालये दिनांक ३० जून, २०२० पर्यंत बंद ठेवणेबाबत.

संदर्भ - १) परिपत्रक क्र.संगाबाअवि/१/१०९/२-३६१/२०२० दिनांक - १७.५.२०२०.

२) परिपत्रक क्र.संगाबाअवि/१/१०९/२-३६३/२०२० दिनांक - १७/२०.५.२०२०.

३) Easing of Restrictions and Phase-wise opening of Lockdown (MISSION BEGIN AGAIN) बाबत महाराष्ट्र शासन, महसूल व वने, आपत्ती व्यवस्थापन, राहत व पुनर्वसन विभाग. मंत्रालय, मुंबई यांचे आदेश क्र.DMU/2020/CR.92/DisM-1, दि.३१ मे, २०२०.

राज्यात कोरोना विषाणू (कोव्हीड-१९)चा प्रादुर्भाव रोखण्यासाठी प्रतिबंधात्मक उपाययोजना म्हणून उपरोक्त संदर्भ क्र.१ व २ वरील परिपत्रकाद्वारे संत गाडगे बाबा अमरावती विद्यापीठातील शैक्षणिक व प्रशासकीय विभाग, विद्यापीठाचे मॉडेल डिग्री कॉलेज, बुलडाणा व विद्यापीठाशी संलग्नित सर्व महाविद्यालये दिनांक ३१ मे, २०२० पर्यंत बंद ठेवण्याबाबतच्या सूचना निर्गमित करण्यात आल्या होत्या.

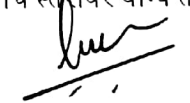
तथापि, उपरोक्त संदर्भ क्र.३ वरील शासन आदेशानुसार कोरोना विषाणुचे देशभरातील वाढते संक्रमण रोखण्यासाठी तेवढ्याच तत्परतेने व तीव्रतेने खबरदारी घेणे व विविध प्रतिबंधात्मक उपायांचे काटेकोरपणे पालन करण्याबाबत निर्देशित केले असून Lockdown चा कालावधी दि.३० जून, २०२० पर्यंत वाढविण्यात आला आहे. त्याअनुषंगाने संत गाडगे बाबा अमरावती विद्यापीठातील सर्व शैक्षणिक विभाग व विद्यापीठाचे मॉडेल डिग्री कॉलेज, बुलडाणा तसेच संत गाडगे बाबा अमरावती विद्यापीठाशी संलग्नित सर्व महाविद्यालये दिनांक ३१ मे, २०२० च्या पुढेही दिनांक ३० जून, २०२० पर्यंत बंद राहतील.

उपरोक्त संदर्भ क्र. ३ अन्वये प्राप्त शासनाच्या आदेशाचे काटेकोरपणे पालन करावे. Lockdown च्या कालावधीत कार्यालयामध्ये काम करणाऱ्या अधिकारी व कर्मचारी यांनी 'आरोग्य सेतू' App वापरणे बंधनकारक असून याची जबाबदारी संबंधित विभाग प्रमुख/ नियंत्रण अधिकारी यांची राहिल.

तसेच Lockdown च्या कालावधीदरम्यान शिक्षक, संशोधक, विद्यापीठाच्या प्रशासकीय विभागातील संवैधानिक अधिकारी व शिक्षकेतर कर्मचाऱ्यांनी मुख्यालय न सोडता घरी राहून (Work from home) संबंधित विभागाचे कामकाज करावे. त्याचप्रमाणे कोणत्याही अत्यावश्यक कार्यालयीन कामकाजाकरिता उपरोक्त संदर्भ क्र.३ मधील मार्गदर्शक सूचनेमध्ये दिलेल्या १५ टक्केच्या अधीन राहून आळीपाळीने विभागामध्ये बोलावावे. तसेच नियंत्रण अधिकारी यांनी दररोज आळीपाळीने विभागात कामाकरिता बोलाविण्यात येणाऱ्या कर्मचाऱ्यांची यादी उपकुलसचिव (आस्थापना) यांना वेळोवेळी सादर करावी. संबंधित शिक्षक, संशोधक, संवैधानिक अधिकारी व शिक्षकेतर कर्मचारी यांना वरिष्ठांनी कार्यालयात बोलाविल्यास त्यांना कार्यालयात त्वरित हजर व्हावे लागेल, याची कृपया सर्वांनी नोंद घ्यावी. कार्यालयात कार्यरत असताना संबंधितांनी तसेच विद्यापीठात येणाऱ्या अभ्यागतांनी कोव्हीड-१९ च्या संदर्भात घ्यावयाच्या काळजीबाबत विद्यापीठ प्रशासनाने दि.२८ मे, २०२० रोजी ईमेलद्वारे प्रसूत केलेल्या मार्गदर्शक सूचनांची सर्व संबंधितांनी नोंद घेवून काटेकोरपणे पालन करावे.

अत्यावश्यक सेवा (आरोग्य केंद्र, सुरक्षा विभाग, अभियांत्रिकी विभाग पाणी पुरवठा, विद्युत पुरवठा, उद्यान विभाग व इतर सेवा) पुरविणाऱ्या प्रशासकीय विभाग प्रमुखांनी याबाबत त्यांचे स्तरावर योग्य ते नियोजन करावे.

- आदेशान्वये.



(डॉ.तुपार देशमुख)

कुलसचिव

संत गाडगे बाबा अमरावती विद्यापीठ

प्रति,

- 1) सर्व शैक्षणिक व प्रशासकीय विभाग प्रमुख, संत गाडगे बाबा अमरावती विद्यापीठ
 - 2) मानद संचालक, मॉडेल डिग्री कॉलेज, बुलडाणा
 - 3) प्राचार्य, संत गाडगे बाबा अमरावती विद्यापीठाशी संलग्नित सर्व महाविद्यालये.
- प्रत माहितीकरिता सविनय सादर -

- 1) मा. सचिव, उच्च व तंत्र शिक्षण विभाग, मंत्रालय विस्तार भवन, मुंबई-३२.
- 2) मा. शिक्षण संचालक (उच्च शिक्षण), शिक्षण संचालनालय, महाराष्ट्र राज्य,
- ३) सहसंचालक (उच्च शिक्षण), महाराष्ट्र राज्य, पुणे
- ४) सहसंचालक (उच्च शिक्षण), अमरावती विभाग, अमरावती
- ५) सहसंचालक (तंत्र शिक्षण), विभागीय कार्यालय, अमरावती.

GOVERNMENT OF MAHARASHTRA
Department of Revenue and Forest, Disaster Management,
Relief and Rehabilitation, Mantralaya, Mumbai- 400 032
No: DMU/2020/CR. 92/DisM-1, Dated: 31st May 2020

ORDER

Easing of Restrictions and Phase-wise opening of Lockdown. (MISSION BEGIN AGAIN)

Reference:

- 1) The Epidemic Diseases Act, 1897
- 2) The Disaster Management Act, 2005
- 3) Revenue and Forest, Disaster Management, Relief and Rehabilitation Department Order No. DMU-2020/C.R.92/DMU-1, dated 2nd May 2020, 3rd May 2020, 5th May 2020, 11th May 2020, 15th May 2020, 17th May 2020, 19th May 2020 and 21st May 2020
- 4) Ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-I (A) Dated 1st May 2020, 11th May 2020, 17th May 2020, 20th May 2020 and 30th May 2020


Whereas, in exercise of the powers, conferred under the Disaster Management Act 2005, the undersigned, in his capacity as Chairperson, State Executive Committee has issued an Order dated 17th May, 2020 to extend the lockdown measures up to 31st May, 2020 and issued revised consolidated guidelines from time to time vide above mentioned orders to contain the spread of COVID-19.

Whereas the State Government is satisfied that the State of Maharashtra is threatened with the spread of Covid-19 Virus, and therefore to take certain emergency measures to prevent and contain the spread of the virus, the Government in exercise of the powers conferred under Section 2 of the Epidemic Diseases Act, 1897, read with all other enabling provisions of The Disaster Management Act, 2005, it is expedient to extend the lockdown in the entire State of Maharashtra further till midnight of 30th June 2020.

Now, therefore, in exercise of the powers conferred under section 2 of the Epidemic Diseases Act, 1897 and the powers, conferred under the Disaster Management Act, 2005, the undersigned, in his capacity as Chairperson, State Executive Committee, hereby issues directions to extend the lockdown, with amendments, to operationalise MISSION BEGIN AGAIN for easing of restrictions and phase-wise opening, till 30th June 2020 for containment of COVID-19 epidemic in the State and all Departments of Government of Maharashtra shall strictly implement the guidelines issued earlier from time to time.

It is further directed that all earlier orders shall be aligned with order and shall remain in force up to and inclusive of 30th June 2020. Further easing under MISSION BEGIN AGAIN will be notified in the due course.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF MAHARASHTRA


(AJAY MEHTA)
CHIEF SECRETARY
GOVERNMENT OF MAHARASHTRA

Copy to:

1. Principal Secretary to Hon'ble Governor of Maharashtra, Mumbai,
2. Hon'ble Chairman, Maharashtra Legislative Council,
3. Hon'ble Speaker, Maharashtra Legislative Assembly,
4. Principal Secretary to Hon'ble Chief Minister, Government of Maharashtra,
5. Secretary to Hon'ble Deputy Chief Minister, Government of Maharashtra,
6. Private Secretary to Leader of Opposition, Legislative Council / Assembly,
7. Private Secretaries of All Hon'ble Minister/Minister of State, Mantralaya,
8. All Additional Chief Secretaries/Principal Secretaries/Secretaries of Government of Maharashtra,
9. Director General of Police, Maharashtra State, Mumbai,
10. Principal Secretary, Public Health Department, Mantralaya,
11. Secretary, Medical Education, Mantralaya,
12. All Divisional Commissioners in the State
13. All Commissioners of Police in the State
14. All Commissioners of Municipal Corporations in the State,
15. All District Collectors,
16. All Chief Executive Officers, Zilla Parishad,
17. All District Superintendents of Police in the State.

GOVERNMENT OF MAHARASHTRA
Department of Revenue and Forest, Disaster Management,
Relief and Rehabilitation, Mantralaya, Mumbai- 400 03
No: DMU/2020/CR. 92/DisM-1, Dated: 31st May 2020

Subject: MISSION BEGIN AGAIN (Guidelines for Easing of Restrictions and Phase-wise opening of Lockdown.)

[As per ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-I (A) dated 30th May 2020, Govt. of Maharashtra Notification No. DMU/ 2020/CR. 92 /DisM-1 dated 31st May, 2020 of Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation]

1. This order will come into effect from 1/6/2020 and shall remain effective till 30.06.2020.
2. **National Directives for Covid -19 management**
National Directives for Covid-19 management as specified in **Annexure I** shall be followed throughout the state.
3. **Night Curfew**
The movement of individuals shall remain strictly prohibited between 9pm to 5 am except for essential activities. Local authorities shall issue orders in the entire area of jurisdiction under appropriate provisions of law, such as prohibitory orders under sec 144 of CrPC, and ensure strict compliance.
4. **Protection Of Vulnerable Persons:**
Persons above 65 years of age, persons with comorbidities, pregnant women and children below the age of 10 years are advised to stay home, except for essential and medical services.
5. **Containment Zones:**
 - I. Containment zones will be demarcated by Municipal /District Authorities after taking into consideration the guidelines of MoHFW. The municipal commissioners in corporation areas and district collectors in other parts of the district, are empowered to decide the containment zones. Such zones should be a unit which can be effectively governed and efficiently managed considering the recourses availability. The containment zone will be residential colony, mohalla, slum, building, group of buildings, lane, ward, police station area, villages, small cluster of villages etc. Anything larger than this (eg. Whole taluka/ Whole Municipal Corporation etc.) can be declared as containment zone only after consultation with Chief Secretary.

- II. In containment zones, only essential activities shall be allowed. There shall be strict perimeter control to ensure there is no movement of people in and out of these zones, except for medical emergencies and for maintaining supply of essential goods. Guidelines of MOHFW shall be taken into consideration for the above purpose.

6. Easing of Restrictions and Phase wise Opening:

In Municipal Corporations of MMR Region including MCGM, Municipal Corporations of Pune, Solapur, Aurangabad, Malegaon, Nashik, Dhule, Jalgaon, Akola, Amravati and Nagpur following activities are additionally permitted with restrictions, in phases as described below except containment zones. This is in addition to the activities already allowed and permitted (Annexure II).

MISSION BEGIN AGAIN Phase I (With Effect from 3rd June 2020)

i. Outdoor physical activities.

Individual physical exercises like cycling/ jogging / running / walking shall be permitted on public open spaces including beaches, public / private playgrounds, grounds belonging to societies/institutions, gardens and promenades with following conditions. No activities will be permitted in indoor portion or indoor stadium.

- 1) This will be allowed between 5 am to 7 pm.
- 2) No group activity will be permitted. However, children should be accompanied by an adult.
- 3) People are advised to stay outdoors only for the purposes of physical activities for limited duration.
- 4) No other activity is permitted.
- 5) People are permitted to use only nearby/neighbourhood open spaces. Long distance travel will not be permitted.
- 6) People are advised to avoid crowded open spaces.

People are actively encouraged to use cycling as a form of physical exercise as it automatically ensures social distancing.

- ii. Activities related to self-employed people like plumbers, electricians, pest-control and technicians with social distancing norms and usage of masks and sanitization.
- iii. Garages to mend vehicles and workshops with prior appointments.
- iv. All Government offices (excluding Emergency, health & Medical, treasuries, disaster management, police, NIC, food & Civil Supply, FCI, N.Y.K., Municipal Services who

can operate at the levels as per the need) will function at 15% strength or minimum 15 employees whichever is more.

MISSION BEGIN AGAIN Phase II (With Effect from 5th June 2020)

- i. All markets, market areas & shops, except malls and market complexes, are allowed to function on P1-P2 basis (shops on one side of the road/lane/passage to be opened on odd dates while shops on the other side on even dates) from 9 am to 5 pm with following conditions.
 - a. The use of trial rooms in the shops will not be permitted for clothes, apparels and similar items to prevent spread of infection. Similarly exchange policy and return policy will not be permitted.
 - b. The shopkeepers will be responsible for ensuring social distancing norms in the shops and are encouraged to take measures such as foot markings on the floor, token system, home delivery etc.
 - c. People are advised to walk / to use cycles for shopping purposes and to use nearby/neighborhood markets as far as possible. Long distance travel for non-essential items will not be permitted. Use of motorized vehicles for shopping will be strictly discouraged.
 - d. If any failure of social distancing is seen, then authorities will immediately close down such shops/markets.

ii. Movement of people is allowed in following manner :

Taxi/Cab/aggregator	Only essential 1 + 2
Rickshaw	Only essential 1 + 2
Four Wheeler	Only essential 1 + 2
Two wheeler	Only essential One Rider

MISSION BEGIN AGAIN Phase III ((With Effect from 8th June 2020)

- i. All private offices can operate with up to 10% strength as per requirement, with remaining persons working from home. However all the employers will take sensitisation programs to educate the employees to take adequate precautions on returning home so that vulnerable group especially the elderly is not infected.

7. **In the rest of State except the areas covered in clause 6**, all activities, which are not in the clause 8 of this order and which are not explicitly prohibited or banned, shall continue to be permitted, with following conditions.

- a. No permission is needed from any govt. authorities for permitted activities.
- b. Outdoor portion of Sport complexes and Stadia and other open to sky public spaces will be permitted to remain open for individual exercises; however, spectators and group

activities will not be allowed. No activities will be permitted in indoor portion or indoor stadium. All physical exercise & activities will be done with social distancing norms.

- c. All public and private transport will follow passenger management:
 - i. Two Wheeler: 1 rider
 - ii. Three Wheeler: 1 + 2
 - iii. Four Wheeler: 1 + 2
- d. Intra district bus service will be allowed with maximum 50% capacity per bus with physical distancing and sanitation measures.
- e. Inter-district bus service orders will not be permitted. Orders will be separately issued in this regard.
- f. All markets/shops will remain open from 9 a.m. to 5 p.m. If any crowding or failure of social distancing norms is seen, then authorities will immediately close down such shops/markets.

8. The following activities will remain prohibited across the state:

- i. Schools, colleges, educational, training, coaching institutions etc.
- ii. International air travel of passengers, except as permitted by MHA.
- iii. Metro Rail.
- iv. Passenger Movement by trains and domestic air travel unless specifically allowed through separate orders and standard operating procedure (SOP)
- v. Cinema halls, gymnasiums, swimming pools, entertainment parks, theatres, bars and auditoriums, assembly halls and similar places.
- vi. Social/ political/ sports/ entertainment/ academic/ cultural/ religious functions and large congregations.
- vii. Religious places/ places of worship for public
- viii. Barber Shops, Spas, Saloons, Beauty Parlours.
- ix. Shopping Malls, Hotels, Restaurants and other Hospitality Services.

Easing of Restrictions and opening up for these activities will be done in phased manner along with Standard Operating Procedures/Guidelines

9. Special directions to ensure movement of persons and goods in certain cases.

- i. All Authorities shall allow inter-State and Intra-State movement of medical professionals, nurses and para medical staff, sanitation personnel and ambulances, without any restriction.

- ii. However inter-state and inter-district movement of persons shall continue to be regulated. The movement of stranded labour, migrant workers, pilgrim, tourists etc will continue to be regulated as per SOPs issued.
- iii. Similarly, movement of persons by shramik special trains and seafarers will continue to be regulated as per SOPs issued.
- iv. Movement of Indian nationals stranded outside the country and of specified persons to travel abroad; evacuation of foreign nationals; sign-on and sign-off of Indian seafarers will continue to be regulated as per SOPs issued.
- v. All Authorities shall allow Inter-State movement of all types of goods/ cargo, including empty trucks.
- vi. No authorities shall stop the movement of any type of goods/cargo for cross land-border trade under Treaties with neighbouring countries.

10. Use of Aarogya Setu


- i. Aarogya Setu enables early identification of potential risk of infection, and thus acts as a shield for individuals and the community.
- ii. With a view to ensuring safety in offices and workplaces, employers on best effort basis should ensure that Aarogya Setu is installed by all employees having compatible mobile phones.
- iii. District authorities may advise individuals to install the Aarogya Setu application on compatible mobile phones and regularly update their health status on the app. This will facilitate timely provision of medical attention to those individuals who are at risk.

11. General instructions

- a) Notwithstanding anything contained in this order, containment areas will continue to follow same health protocols, as laid down before this order.
- b) No district/regional / State authority will issue ANY order/guideline/direction in deviation or contrary to these guidelines, without the approval of Chief Secretary, Maharashtra.

12. Penal provisions

Any person violating these measures will be liable to be proceeded against as per the provisions of Section 51 to 60 of the Disaster Management Act, 2005 besides legal action under Sec. 188 of the IPC, and other legal provisions as applicable. Extracts of these penal provisions are at **Annexure III**.


(AJAY MEHTA)
CHIEF SECRETARY
GOVERNMENT OF MAHARASHTRA

Annexure I

[MISSION BEGIN AGAIN: Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 40032, Order No: DMU/2020/CR. 92/DisM-1, Dated: 31st May 2020]

National Directives for COVID 19 Management

- 1) **Face coverings** – wearing of face cover is compulsory in public places, in workplaces and during transport.
- 2) **Social distancing** – individuals must maintain a minimum distance of 6 feet (2 *Gaz Ki doori*) in public places.
Shops will ensure physical distancing among customers and will not allow more than five persons at one time.
- 3) **Gatherings** – large public gatherings / congregations continue to remain prohibited.
Marriage related gatherings – Number of guests not to exceed 50.
Funeral / last rites related gatherings – number of persons not to exceed 20.
- 4) **Spitting in public places** will be punishable with fine, as may be prescribed by the concerned authority in accordance with its laws, rules or regulations.
- 5) **Consumption of liquor, Paan, tobacco, etc** in public places is prohibited.

Additional directives for workplaces.

- 6) **Work from home (WFH)** – as far as possible the practice of WFH should be followed. Staggering of work / business hours will be followed in offices, workplaces, shops, markets and industrial & commercial establishments.
- 7) **Screening and hygiene** – provision for thermal scanning, hand wash and sanitizer will be made at all entry and exit points and common areas.
- 8) **Frequent sanitization** of entire workplace, common facilities and all points which come into human contact e.g. door handles etc. will be ensured, including between shifts.
- 9) **Social distancing** – all persons in charge of workplaces will ensure adequate distance between workers, adequate gaps between shifts, staggering the lunch breaks of staff, etc.

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Annexure II

[MISSION BEGIN AGAIN: Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 40032, Order No: DMU/2020/CR. 92/DisM-1, Dated: 31st May 2020]

For the purposes of Clause 6:

Activities permitted so far by various orders upto order dated 19th May 2020

- i. All essential shops which are allowed to remain open before this order, shall continue to do so.
- ii. All non-essential shops will be allowed to continue as per relaxations and guidelines issued before this order and are in operation as per the policy of respective Municipal Corporation. Liquor shops will continue to operate if permitted, home delivery or otherwise.
- iii. E-commerce activity for essential as well as non-essential items & material.
- iv. All the industrial units which are presently open will continue to operate.
- v. All construction sites (Public/Private) which are allowed to remain open and operational. All such pre-monsoon works (Public and Private) which are allowed.
- vi. Home delivery restaurants / Kitchen.
- vii. On-line/ distance learning and related activities.
- viii. Govt Offices at 5% strength or 10 persons whichever is higher.
- ix. People's movement is allowed in following manner :

Four Wheeler	Only essential 1 + 2
Two wheeler	Only essential One Rider

- x. Any other allowed and permitted activity by any specific/general order.

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[Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai-40032, Order No: DMU/2020/CR. 92/DisM-1, Dated: 31st May 2020]

Offences and Penalties for Violation of Lockdown Measures

A. Section 51 to 60 of the Disaster Management Act, 2005

51. Punishment for obstruction, etc.—Whoever, without reasonable cause —

(a) obstructs any officer or employee of the Central Government or the State Government, or a person authorised by the National Authority or State Authority or District Authority in the discharge of his functions under this Act; or

(b) refuses to comply with any direction given by or on behalf of the Central Government or the State Government or the National Executive Committee or the State Executive Committee or the District Authority under this Act,

shall on conviction be punishable with imprisonment for a term which may extend to one year or with fine, or with both, and if such obstruction or refusal to comply with directions results in loss of lives or imminent danger thereof, shall on conviction be punishable with imprisonment for a term which may extend to two years.

52. Punishment for false claim.—Whoever knowingly makes a claim which he knows or has reason to believe to be false for obtaining any relief, assistance, repair, reconstruction or other benefits consequent to disaster from any officer of the Central Government, the State Government, the National Authority, the State Authority or the District Authority, shall, on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

53. Punishment for misappropriation of money or materials, etc.—Whoever, being entrusted with any money or materials, or otherwise being, in custody of, or dominion over, any money or goods, meant for providing relief in any threatening disaster situation or disaster, misappropriates or appropriates for his own use or disposes of such money or materials or any part thereof or wilfully compels any other person so to do, shall on conviction be punishable with imprisonment for a term which may extend to two years, and also with fine.

54. Punishment for false warning.—Whoever makes or circulates a false alarm or warning as to disaster or its severity or magnitude, leading to panic, shall on conviction, be punishable with imprisonment which may extend to one year or with fine.

55. Offences by Departments of the Government.—(1) Where an offence under this Act has been committed by any Department of the Government, the head of the Department shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any officer, other than the head of the Department, such officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

56. Failure of officer in duty or his connivance at the contravention of the provisions of this Act.—Any officer, on whom any duty has been imposed by or under this Act and who ceases or refuses to perform or withdraws himself from the duties of his office shall, unless he has obtained the express written permission of his official superior or has other lawful excuse for so doing, be punishable with imprisonment for a term which may extend to one year or with fine.

57. Penalty for contravention of any order regarding requisitioning.—If any person contravenes any order made under section 65, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both.

58. Offence by companies.—(1) Where an offence under this Act has been committed by a company or body corporate, every person who at the time the offence was committed, was in charge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly: Provided that nothing in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised due diligence to prevent the commission of such offence. (2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company, and it is proved that the offence was committed with the consent or connivance of or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also, be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purpose of this section— (a) “company” means anybody corporate and includes a firm or other association of individuals; and (b) “director”, in relation to a firm, means a partner in the firm.

59. Previous sanction for prosecution.—No prosecution for offences punishable under sections 55 and 56 shall be instituted except with the previous sanction of the Central Government or the State Government, as the case may be, or of any officer authorised in this behalf, by general or special order, by such Government.

60. Cognizance of offences.—No court shall take cognizance of an offence under this Act except on a complaint made by— (a) the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorised in this behalf by that Authority or Government, as the case may be; or (b) any person who has given notice of not less than thirty days in the manner prescribed, of the alleged offence and his intention

to make a complaint to the National Authority, the State Authority, the Central Government, the State Government, the District Authority or any other authority or officer authorized as aforesaid.

B. Section 188 in the Indian Penal Code, 1860

188. Disobedience to order duly promulgated by public servant.—Whoever, knowing that, by an order promulgated by a public servant lawfully empowered to promulgate such order, he is directed to abstain from a certain act, or to take certain order with certain property in his possession or under his management, disobeys such direction, shall, if such disobedience causes or tends to cause obstruction, annoyance or injury, or risk of obstruction, annoyance or injury, to any person lawfully employed, be punished with simple imprisonment for a term which may extend to one month or with fine which may extend to two hundred rupees, or with both; and if such disobedience causes or tends to cause danger to human life, health or safety, or causes or tends to cause a riot or affray, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Explanation.—It is not necessary that the offender should intend to produce harm, or contemplate his disobedience as likely to produce harm. It is sufficient that he knows of the order which he disobeys, and that his disobedience produces, or is likely to produce, harm.

Illustration

An order is promulgated by a public servant lawfully empowered to promulgate such order, directing that a religious procession shall not pass down a certain street. A knowingly disobeys the order, and thereby causes danger of riot. A has committed the offence defined in this section.

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