

જાહેરનામું

ગુજરાત સરકાર
ગૃહ વિભાગ, સચિવાલય,
ગાંધીનગર
તા.૩૦/૦૫/૨૦૨૦.

2716

ક્રમાંક : ૭૭/૨૮/૨૦૨૦/વિ-૧/કઅવ/૧૦૨૦૨૦/૪૮૨

The Disaster
Management
Act, 2005

સમગ્ર દેશમાં COVID-19ની અસરોને નિયંત્રિત કરવાના હેતુથી, The Disaster Management Act, 2005થી મળેલ સત્તા અન્વયે કેન્દ્રીય ગૃહ મંત્રાલયના તા. ૨૪.૦૩.૨૦૨૦ના હુકમ ક્ર. 40-3/2020-DM-I(A)થી સમગ્ર દેશમાં તા.૨૫.૦૩.૨૦૨૦ થી ૨૧ દિવસ સુધી આવશ્યક સેવાઓ સિવાયની તમામ સેવાઓ મોકુફ રાખવામાં આવેલ. ત્યાર બાદ કેન્દ્રીય ગૃહ મંત્રાલયના વખતોવખતના હુકમથી આ અવધી તા.૩૧.૦૫.૨૦૨૦ સુધી લંબાવવામાં આવેલ છે. ૨. જે અન્વયે રાજ્યની પ્રવર્તમાન પરિસ્થિતિ લક્ષમાં લેતા સમગ્ર રાજ્યમાં લોકડાઉનનો અમલ તા.૩૧.૦૫.૨૦૨૦ સુધી ચાલુ રાખવા તા.૧૮.૦૫.૨૦૨૦ના જાહેરનામા ક્રમાંક: ૭૭/૨૭/૨૦૨૦/વિ-૧/કઅવ/૧૦૨૦૨૦/૪૮૨થી જરૂરી હુકમો કરવામાં આવેલ છે. ગૃહ વિભાગના તા.૧૮.૦૫.૨૦૨૦ના હુકમ ક્રમાંક:વિ-૧/કઅવ/૧૦૨૦૨૦/૪૮૨થી તા.૧૮.૦૫.૨૦૨૦ના જાહેરનામાના પારા (૫)માં ઉમેરો કરવામાં આવેલ છે તથા ગૃહ વિભાગના તા.૧૮.૦૫.૨૦૨૦ના હુકમ ક્રમાંક: વિ-૧/કઅવ/૧૦૨૦૨૦/ ૪૮૨ થી માર્ગદર્શિકાઓ બહાર પાડવામાં આવેલ છે.

૩. સમગ્ર દેશમાં COVID-19ની અસરો ધ્યાને લેતાં National Disaster Management Authorityના નિર્દેશો મુજબ કેન્દ્રીય ગૃહ મંત્રાલયના તા.૩૦.૦૫.૨૦૨૦ના હુકમ ક્રમાંક. 40-3/ 2020-DM-I(A) થી કન્ટેનમેન્ટ ઝોનમાં તા.૩૦.૦૬.૨૦૨૦ સુધી lock downની અવધિ લંબાવવામાં આવી છે તથા કન્ટેનમેન્ટ ઝોન સિવાયના વિસ્તારોમાં પ્રતિબંધિત પ્રવૃત્તિઓ તબક્કાવાર ખોલવાનો હુકમ કરવામાં આવેલ છે. કેન્દ્રીય ગૃહ મંત્રાલયના તા.૩૦.૦૫.૨૦૨૦ના હુકમ સાથેની Guidelines for Phased Re-opening (Unlock 1) નો ચૂસ્તપણે અમલ કરવાનો રહે છે.

૪. આથી કેન્દ્રીય ગૃહ મંત્રાલયના તા.૩૦.૦૫.૨૦૨૦ના હુકમ અનુસાર સમગ્ર રાજ્યમાં જાહેર કરવામાં આવેલ કન્ટેનમેન્ટ ઝોનમાં તા.૦૧.૦૬.૨૦૨૦ ના ૦૦.૦૦ કલાકથી તા.૩૦.૦૬.૨૦૨૦ના ૨૪.૦૦ કલાક સુધી lock downની અવધિ લંબાવવામાં આવે છે તથા કન્ટેનમેન્ટ ઝોન સિવાયના વિસ્તારોમાં પ્રતિબંધિત પ્રવૃત્તિઓ તબક્કાવાર ખોલવાનો નિર્ણય લેવામાં આવે છે.

૫. કેન્દ્રીય ગૃહ મંત્રાલયના તા.૩૦.૦૫.૨૦૨૦ના હુકમ ક્રમાંક ક્ર. 40-3/2020-DM-I(A) અને તે સાથેની માર્ગદર્શિકાઓ ધ્યાને લેતા નીચે મુજબ હુકમ કરવામાં આવે છે.

1. A curfew from 9 PM – 5 AM (8 hours) is to be followed across the state.
2. Only essential services to be allowed in containment/micro-containment zones across Gujarat between 7 AM to 7 PM.
3. All other economic activities are allowed (except the negative list below) outside containment/micro-containment zones between 8 AM to 7 PM (for Municipal Areas) & 8 PM (for Areas outside Municipal Areas) only (except for industries with continuous processes).
4. Government of Gujarat will be announcing micro-containment areas for all districts. The list of micro-containment zones will be dynamic in nature & will be updated periodically.

5. Workers/ Employees/Shop owners whose home/house is in containment / micro-containment zones will not be allowed to leave containment/micro-containment zones.
6. Ahmedabad will be opened for economic activity outside containment/micro-containment zones.
7. GSRTC bus service will be made operational throughout the state and for Ahmedabad special depots shall be earmarked.
8. Sports complexes & Stadia will be permitted to open; however, spectators and large gatherings will not be allowed. There will not be any ban on telecasting.
9. Street vendors will be allowed to operate after 8th June 2020 in areas designated by urban local bodies (ULBs). The local administration will identify designated areas for street vendors/weekly markets. ULBs will prepare detailed Standard Operating Procedures before resuming and ensure implementation of these guidelines.
10. The following activities shall be relaxed in the current phase of exit plan with mentioned restrictions. This list will however be reviewed from time to time.

S No.	Activity	For all areas outside containment zones
1.	All educational, training, research, coaching institutions	No (However, administrative office will be allowed)
2.	Gyms	No
3.	Hotels, Clubs	Yes, as per SOP from 8 th June onwards
4.	Restaurants, Eateries	Yes. Seating to be done with social distancing as per SOP from 8 th June
5.	Malls, Shops in Malls	Yes; with social distancing from 8 th June
6.	Retail Shops	Yes
7.	Single screen & multi-screen Cinema halls & Multiplexes	No
8.	Industries	Allowed at 100% capacity with social distancing
9.	All religious places	Yes. with social distancing No functions / large gatherings are allowed as per SOP from 8 th June
10.	Only 20 persons to be allowed for funerals Only 50 persons to be allowed for marriages	Yes

11.	Large public gatherings of any kind	No
12.	Cultural, theatre programs	No
13.	Street vendors	Yes (after 8th June in areas designated by ULB)
14.	Tea/ Coffee stalls	Yes
15.	Pan Shops	Only takeaway allowed
16.	Liquor Shops	Only for permit holders
17.	Barber/ Haircut/ Saloon/ Beauty Parlour	Allowed with Social distancing
18.	Libraries	Function at 60% capacity
19.	GSRTC Bus Services	Yes
20.	City Bus Services	(a) Ahmedabad/Surat: Yes, at 50% capacity outside containment zone) (b) For all other areas: Yes, at 60% capacity (outside containment zone)
21.	Private bus services	(a) Ahmedabad/Surat: Allowed to operate with SOP similar to GSRTC (50% seating capacity and no standing) (b) For all other areas: Allowed to operate with SOP similar to GSRTC (60% seating capacity and no standing)
22.	Auto Rickshaws	Yes. (1 Driver + 2 Passengers)
23.	Cabs, Taxis, Cab aggregators, Private vehicles	Yes. (1 Driver + 2 Persons; If seating capacity is 6 or more, 1 driver + 3 persons will be allowed)
24.	Two wheelers	Yes (1+1)
25.	Private offices	Permitted with social distancing, however work from home to be encouraged
26.	Banks	Yes
27.	Government Offices	Yes
28.	All repair shops, garages, workshops and service stations	Yes

29.	Swimming pools, public gardens, Zoo, Water parks & Amusement parks	No
30.	Archeological sites, Beaches, other tourist places	No

11. Goods Transport movement will be allowed inter-state and intra-state without restrictions.

12. Protection of Vulnerable persons:

Persons above 65 years of age, persons with co-morbidities, pregnant women, and children below the age of 10 years are advised to stay at home, except for essential and health purposes.

13. Wearing of face cover is compulsory in public places; in work places; and during Transport. Fines for non-compliance prescribed as below:-

- Fine: Rs. 200 for not wearing a face cover in all public and work places and during Transport Annexure-I(1) of order dt.30.05.2020.
- Fine Rs. 200 for spitting in public as per the provisions Annexure-I(4) of order dt.30.05.2020.


14. The National Directives for COVID-19 as specified in Annexure- I of MHA guidelines to be followed strictly.

૬. કેન્દ્રીય ગૃહ મંત્રાલયના વખતો-વખતના હુકમથી આપવામાં આવેલ આદેશો તથા માર્ગદર્શક સુચનાઓ આખરી રહેશે અને તમામે ચુસ્ત રીતે અમલ કરવાનો રહેશે.

૭. આ જાહેરનામાનું અસરકારક અમલીકરણ તમામે કરવાનું રહેશે.

૮. આ જાહેરનામાની જોગવાઈઓ/કેન્દ્ર સરકારની માર્ગદર્શિકાઓના ઉદ્દેશ્ય કરનાર વ્યક્તિ The Disaster Management Act, 2005 તેમજ The Indian Penal Code, 1860ની જોગવાઈઓ હેઠળ કાર્યવાહીને પાત્ર થશે.

ગુજરાતના રાજ્યપાલશ્રીના હુકમથી અને તેમના નામે,


૩૦/૦૫/૨૦૨૦
(પંકજ આર. દવે)
ઉપ સચિવ(કા.વ્ય.-૧)
ગૃહ વિભાગ

પ્રતિ,

- પ.સ. રાજ્યપાલશ્રીના અગ્ર સચિવશ્રી, રાજભવન, ગાંધીનગર. (પત્ર દ્વારા)
- રજીસ્ટ્રારશ્રી ગુજરાત હાઈકોર્ટ, સોલા, અમદાવાદ. (પત્ર દ્વારા)
- માન. મુખ્ય મંત્રીશ્રીના મુખ્ય અગ્ર સચિવશ્રી, સચિવાલય, ગાંધીનગર.
- માન. નાયબ મુખ્ય મંત્રીશ્રીના અંગત સચિવશ્રી, સચિવાલય, ગાંધીનગર.
- તમામ મંત્રીશ્રીઓના અંગત સચિવશ્રી, સચિવાલય, ગાંધીનગર.
- મુખ્ય સચિવશ્રીના અંગત સચિવશ્રી, સચિવાલય, ગાંધીનગર.
- સચિવાલયના સર્વે વિભાગો.
- પોલીસ મહાનિદેશક અને મુખ્ય પોલીસ અધિકારીશ્રી, ગુજરાત રાજ્ય, પોલીસ ભવન, ગાંધીનગર.
- ગૃહ વિભાગ હેઠળના સર્વે ખાતાના વડાઓ.
- તમામ પોલીસ કમિશ્નરશ્રીઓ

- તમામ રેન્જના વડાશ્રીઓ
- તમામ જિલ્લા મેજિસ્ટ્રેટશ્રીઓ
- તમામ મ્યુનિસિપલ કમિશ્નરશ્રીઓ
- તમામ પોલીસ અધિક્ષકશ્રીઓ
- માહિતી નિયામકશ્રી - ગુજરાત રાજ્ય, બ્લોક નં.૧૯, ડૉ. જીવરાજ મહેતા ભવન, ગાંધીનગર
૨/- આ બાબતને બહોળી પ્રસિદ્ધિ મળે તે મુજબની જરૂરી કાર્યવાહી કરવાની વિનંતી સહ.
- મેનેજરશ્રી - સરકારી મુદ્રણાલય, સેક્ટર - ૩૦, ગાંધીનગર
આ જાહેરનામાની સરકારી ગેઝેટમાં પ્રસિદ્ધિ કરી તેની રૂપ નકલો ગૃહ વિભાગ તથા આરોગ્ય અને પરિવાર કલ્યાણ વિભાગને મોકલી આપવાની વિનંતી સહ.
- સિલેક્ટ ફાઇલ - ૨૦૨૦.

આણંદ કૃષિ યુનિવર્સિટી
આણંદ-૩૮૮ ૧૧૦

કોવીડ-૨૦૧૯ની ગાઈડ લાઈન જારી કરવા બાબત..

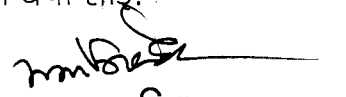
નકલ સવિનય રવાના જાણ તથા અમલ થવા સારું.

- (૧) માન.કુલપતિશ્રીના રહસ્ય સચિવશ્રી, આ.કૃ.યુ. આણંદ તરફ જાણ સારું.
- (૨) યુનિવર્સિટીના તમામ યુનિટ/સબ યુનિટ કચેરીઓ તરફ જાણ તથા અમલ થવા સારું.

નં. આકૃયુ/રજિ/સંકલન/૨૪૧૫/૨૦૨૦
તા.૦૪/૦૬/૨૦૨૦

નકલ રવાના:

- (૧) કુલસચિવશ્રીના અંગત મદદનીશ તરફ.
- (૨) આ કચેરીની તમામ શાખાઓ તરફ.


કુલસચિવ

No. 40-3/2020-DM-I(A)
Government of India
Ministry of Home Affairs


North Block, New Delhi-110001
Dated 30th May, 2020

ORDER

Whereas, an Order of even number dated 17.05.2020 was issued for containment of COVID-19 in the country, for a period upto 31.05.2020;

Whereas, in exercise of the powers under section 6(2)(i) of the Disaster Management Act, 2005, National Disaster Management Authority (NDMA) has directed the undersigned to issue an order to extend the lockdown in Containment Zones upto 30.06.2020, and to re-open prohibited activities in a phased manner in areas outside Containment Zones;

Now therefore, in exercise of the powers, conferred under Section 10(2)(1) of the Disaster Management Act 2005, the undersigned hereby directs that guidelines, as *Annexed*, will remain in force upto 30.06.2020.


30/05/2020
Union Home Secretary

and, Chairman, National Executive Committee (NEC)

To:

1. The Secretaries of Ministries/ Departments of Government of India
 2. The 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

Guidelines for Phased Re-opening (Unlock 1)

[As per Ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-I (A) dated 30th May, 2020]

1. Phased re-opening of areas outside the Containment Zones

In areas outside Containment Zones, all activities will be permitted, except the following, which will be allowed, with the stipulation of following Standard Operating Procedures (SOPs) to be prescribed by the Ministry of Health and Family Welfare (MoHFW), in a phased manner:

Phase I

The following activities will be allowed with effect from 8 June, 2020:

- (i) Religious places/ places of worship for public.
- (ii) Hotels, restaurants and other hospitality services.
- (iii) Shopping malls.

Ministry of Health & Family Welfare (MoHFW) will issue Standard Operating Procedures (SOPs) for the above activities, in consultation with the Central Ministries/ Departments concerned and other stakeholders, for ensuring social distancing and to contain the spread of COVID-19.

Phase II

Schools, colleges, educational/ training/ coaching institutions etc., will be opened after consultations with States and UTs. State Governments/ UT administrations may hold consultations at the institution level with parents and other stakeholders. Based on the feedback, a decision on the re-opening of these institutions will be taken in the month of July, 2020.

MoHFW will prepare SOP in this regard, in consultation with the Central Ministries/ Departments concerned and other stakeholders, for ensuring social distancing and to contain the spread of COVID-19.

Phase III

Based on the assessment of the situation, dates for re-starting the following activities will be decided:

- (i) International air travel of passengers, except as permitted by MHA.
- (ii) Metro Rail.
- (iii) Cinema halls, gymnasiums, swimming pools, entertainment parks, theatres, bars and auditoriums, assembly halls and similar places.
- (iv) Social/ political/ sports/ entertainment/ academic/ cultural/ religious functions and other large congregations.

2. National Directives for COVID-19 Management

National Directives for COVID-19 Management, as specified in **Annexure I**, shall continue to be followed throughout the country.


30/5/20

3. Night curfew

Movement of individuals shall remain strictly prohibited between 9.00 pm to 5.00 am throughout the country, except for essential activities. Local authorities shall issue orders, in the entire area of their jurisdiction, under appropriate provisions of law, such as under Section 144 of CrPC, and ensure strict compliance.

4. Lockdown limited to Containment Zones

- (i) Lockdown shall continue to remain in force in the Containment Zones till 30 June, 2020.
- (ii) Containment Zones will be demarcated by the District authorities after taking into consideration the guidelines of MoHFW.
- (iii) In the Containment Zones, only essential activities shall be allowed. There shall be strict perimeter control to ensure that there is no movement of people in or out of these zones, except for medical emergencies and for maintaining supply of essential goods and services. In the Containment Zones, there shall be intensive contact tracing, house-to-house surveillance, and other clinical interventions, as required. Guidelines of MoHFW shall be taken into consideration for the above purpose.
- (iv) States/ UTs may also identify Buffer Zones outside the Containment Zones, where new cases are more likely to occur. Within the buffer zones, restrictions as considered necessary may be put in place by the District authorities.

5. States/ UTs, based on their assessment of the situation, may prohibit certain activities outside the Containment zones, or impose such restrictions as deemed necessary.

6. Unrestricted movement of persons and goods

- (i) There shall be no restriction on inter-State and intra-State movement of persons and goods. No separate permission/ approval/ e-permit will be required for such movements.
- (ii) However, if a State/ UT, based on reasons of public health and its assessment of the situation, proposes to regulate movement of persons, it will give wide publicity in advance regarding the restrictions to be placed on such movement, and the related procedures to be followed.
- (iii) Movement by passenger trains and *Shramik* special trains; domestic passenger air travel; movement of Indian Nationals stranded outside the country and of specified persons to travel abroad; evacuation of foreign nationals; and sign-on and sign-off of Indian seafarers will continue to be regulated as per SOPs issued.
- (iv) No State/ UT shall stop the movement of any type of goods/ cargo for cross land-border trade under Treaties with neighbouring countries.

7. Protection of vulnerable persons

Persons above 65 years of age, persons with co-morbidities, pregnant women, and children below the age of 10 years are advised to stay at home, except for essential and health purposes.


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8. 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 work places, 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.

9. Strict enforcement of the guidelines

- (i) State/ UT Governments shall not dilute these guidelines issued under the Disaster Management Act, 2005, in any manner.
- (ii) All the District Magistrates shall strictly enforce the above measures.

10. 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 Section 188 of the IPC, and other legal provisions as applicable. Extracts of these penal provisions are at **Annexure II**.


Union Home Secretary

and, Chairman, National Executive Committee

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 5 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 State/ UT local authority in accordance with its laws, rules or regulations.
5. **Consumption of liquor, paan, gutka, tobacco etc.** in public places is prohibited.

Additional directives for Work Places

6. **Work from home (WfH):** As far as possible the practice of WfH should be followed.
7. **Staggering of work/ business hours** will be followed in offices, work places, shops, markets and industrial & commercial establishments.
8. **Screening & hygiene:** Provision for thermal scanning, hand wash and sanitizer will be made at all entry and exit points and common areas.
9. **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.
10. **Social distancing:** All persons in charge of work places will ensure adequate distance between workers, adequate gaps between shifts, staggering the lunch breaks of staff, etc.


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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 authorised 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.
