

जिल्हा आपत्ती व्यवस्थापन प्राधिकरण पालघर, जिल्हा पालघर यांचे कार्यालय

पार्श्वनाथ ९ इमारत, बिडको नाका,
नवली, ता.पालघर, जिल्हा-पालघर

दुरध्वनी क्रमांक ०२५२५-२५३१११

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क्र/जि.आ.व्य.पालघर/कोरोना विषाणू/मिशन बिगिन अगेन/आदेश/कावि-१५७४/२०

दि.३०/०९/२०२०

वाचले :-

- १) साथ रोग नियंत्रण अधिनियम १८९७.
- २) आपत्ती व्यवस्थापन अधिनियम २००५.
- ३) सार्वजनिक आरोग्य विभाग, नवीन मंत्रालय मुंबई यांचेकडील कोरोना विषाणूचा प्रादुर्भाव रोखण्यासाठी निर्गमित केलेली अधिसूचना क्र.कोरोना २०२०/प्र.क्र.५८/आरोग्य ५ दि.१४/०३/२०२०.
- ४) महसूल व वन विभाग, आपत्ती व्यवस्थापन, मदत व पुनर्वसन विभाग, महाराष्ट्र शासन, मंत्रालय मुंबई यांचेकडील आदेश क्र.DMU/२०२०/CR.९२/DisM-१, दि.१७/०५/२०२०.
- ५) गृह मंत्रालय भारत सरकार यांच्याकडील आदेश क्र.४०-३/२०२०-DM-I(A) दि.०१/०५/२०२०, दि.११/०५/२०२०, दि.१५/०५/२०२०, दि.१७/०५/२०२०, दि.२०/०५/२०२०, दि.३०/०५/२०२०, दि.२९/०६/२०२०, दि.२९/०७/२०२०, दि.२९/०८/२०२०.
- ६) महसूल व वन विभाग, आपत्ती व्यवस्थापन, मदत व पुनर्वसन विभाग, महाराष्ट्र शासन, मंत्रालय मुंबई यांचेकडील आदेश क्र.DMU/२०२०/CR.९२/DisM-१, दि.०२/०५/२०२०, दि.०३/०५/२०२०, दि.०५/०५/२०२०, दि.११/०५/२०२०, दि.१५/०५/२०२०, दि.१७/०५/२०२०, दि.१९/०५/२०२०, दि.२१/०५/२०२०, दि.३१/०५/२०२०, दि.०४/०६/२०२०, दि.२५/०६/२०२०, दि.२९/०६/२०२०, दि.०६/०७/२०२०, दि.०७/०७/२०२०, दि.२९/०७/२०२०, दि.०४/०८/२०२०, दि.१९/०८/२०२०, दि.३१/०८/२०२०.
- ७) या कार्यालयाचा मनाई आदेश क्र.गृह/का.१/टे.३/मनाई आदेश/एस.आर.३९/२० दि.३१/०७/२०२०
- ८) गृह मंत्रालय भारत सरकार यांच्याकडील आदेश क्र.४०-३/२०२०-DM-I(A) दि.३०/०९/२०२०.
- ९) महसूल व वन विभाग, आपत्ती व्यवस्थापन, मदत व पुनर्वसन विभाग, महाराष्ट्र शासन, मंत्रालय मुंबई यांचेकडील आदेश क्र.DMU/२०२०/CR.९२/DisM-१, दि.३०/०९/२०२०.



ज्याअर्थी, राज्य शासनाने कोरोना विषाणूचा (कोविड-१९) प्रादुर्भाव रोखण्यासाठी राज्यात प्रसिध्दरोग प्रतिबंधात्मक कायदा १८९७ दिनांक १३ मार्च, २०२० पासून लागू करून खंड २,३ व ४ मधील तरतुदीनुसार अधिसूचना निर्गमित केलेली आहे. सदर अधिसूचनेनुसार जिल्हाधिकारी पालघर यांना पालघर जिल्हयाच्या कार्यक्षेत्रात कोविड १९ वर नियंत्रण आणण्यासाठी व त्याचा प्रादुर्भाव रोखण्यासाठी सक्षम प्राधिकारी म्हणून घोषित केले आहे.

आणि ज्याअर्थी, आपत्ती व्यवस्थापन अधिनियम २००५ मधील कलम २५ अन्वये जिल्हा आपत्ती व्यवस्थापन प्रसधिकरणाची स्थापना करण्यात आलेली आहे व त्यामिल पोटकलम २(अ) नुसार जिल्हाधिकारी तथा जिल्हादंडाधिकारी हे उक्त प्राधिकरणाचे पदसिध्द अध्यक्ष आहेत.

आणि ज्याअर्थी, कोविड-१९ चा प्रादुर्भाव झपाट्याने वाढत असल्याने उपोद्घांतातील अ.क्र.५ व ६ अन्वये आपत्कालीन उपाययोजनांचा भाग म्हणून केंद्र व राज्य शासनाने नागरिकांची गर्दी होऊ नये आणि परस्पर संपर्क वाढून विषाणूचा संसर्ग वाढू नये, यासाठी संपूर्ण राज्यभरात वेळोवेळी लॉकडाऊन उद्घोषणेद्वारे मार्गदर्शक सूचना आदेश लागू केले आहेत. तसेच सदरच्या लॉकडाऊन आदेशांना वेळोवेळी

मुदतवाढ दिलेली आहे. त्यानुसार प्रतिबंधित क्षेत्र (Containment Zone) बाहेरील क्षेत्रात विशिष्ट बाबींना टप्पाटप्प्याने सवलती घोषित (Easing of Restrictions and Phase-wise opening of Lockdown) करण्यात आल्या आहेत.

आणि ज्याअर्थी, केंद्र शासन व राज्य शासन यांचेकडील उपोद्घातातील अ.क्र.८ व ९ च्या आदेशान्वये प्रतिबंधित क्षेत्र (Containment Zone) वगळता उर्वरित क्षेत्रात विशिष्ट बाबींना वाढीव सवलती (Easing of Restrictions and Phase-wise opening of Lockdown) देण्यात आलेल्या आहेत. तसेच प्रतिबंधित क्षेत्र (Containment Zone) अस्तित्वात असलेल्या क्षेत्रात अत्यावश्यक बाबी वगळता टाळेबंदी (Lockdown) आदेशांची कडक अंमलबजावणी करण्याचे आदेश देण्यात आले आहेत. (प्रत सोबत जोडली आहे.)

त्याअर्थी मी डॉ माणिक गुरसळ, जिल्हाधिकारी पालघर तथा अध्यक्ष, जिल्हा आपत्ती व्यवस्थापन प्राधिकरण, पालघर मला आपत्ती व्यवस्थापन अधिनियम २००५ व महाराष्ट्र कोव्हीड १९ उपाययोजना नियम, २०२० अन्वये प्रदान करण्यात आलेल्या अधिकारान्वये पालघर जिल्ह्यात (वसई विरार महानगरपालिका क्षेत्र वगळून) प्रतिबंधित क्षेत्र (Containment Zone) अस्तित्वात असलेल्या व नव्याने प्रतिबंधित क्षेत्र (Containment Zone) अस्तित्वात येतील त्या क्षेत्रात दि.३१/१०/२०२० रोजी मध्यरात्रीपर्यंत Lockdown चे निर्बंध पूर्ववत स्वरूपात चालू ठेवण्यात येत आहेत. सदरच्या क्षेत्रामध्ये अत्यावश्यक बाबी, तातडीच्या वैद्यकीय सेवा व शासकीय कामकाज या व्यतिरिक्त सर्व बाबींवर प्रतिबंध लागू राहतील. प्रतिबंधित क्षेत्र (Containment Zone) च्या बाहेरील क्षेत्रासाठी राज्य शासनाचे मिशन बिगिन अगेन आदेश दि.३०/०९/२०२० नुसार वाढीव सवलती (Easing of Restrictions and Phase-wise opening of Lockdown) लागू राहतील. त्याबाबतची काटेकोर अंमलबजावणी जिल्ह्यातील संबंधित नगरपरिषद/नगर पंचायत व ग्रामपंचायत यांनी करावयाची आहे.

महानगरपालिकेच्या हद्दीमध्ये आयुक्त महानगरपालिका यांनी वेळोवेळी घोषित केलेले लॉकडाऊनचे आदेश लागू राहतील.

उक्त आदेशाची तात्काळ अंमलबजावणी करण्यात यावी. सदरहू आदेशाची अंमलबजावणी करण्यास संबंधितांनी टाळाटाळ केल्यास अथवा विरोध दर्शविल्यास संबंधितांचे विरुद्ध आपत्ती व्यवस्थापन अधिनियम २००५ मधील कलम ५१ ते ६०, भारतीय साथ रोग नियंत्रण अधिनियम १८९७ व भारतीय दंड संहिता (४५ ऑफ १८६०) च्या कलम १८८ नुसार दंडनिय/कायदेशीर कारवाईस पात्र राहिल.

सदरचा आदेश आज दिनांक ३०/०९/२०२० रोजी माझे सही व शिक्क्यानिशी दिला असे.



सही/-xxx

(डॉ माणिक गुरसळ)

जिल्हाधिकारी पालघर तथा
अध्यक्ष, जिल्हा आपत्ती व्यवस्थापन
प्राधिकरण, पालघर

प्रत :-

- १) मा.अपर मुख्य सचिव, गृह विभाग, मंत्रालय, मुंबई यांना माहितीसाठी सविनय सादर.
- २) मा.विभागीय आयुक्त, कोंकण विभाग, कोंकण भवन, नवी मुंबई यांना माहितीसाठी सविनय सादर.

- ३) मुख्य कार्यकारी अधिकारी, जिल्हा परीषद पालघर यांना माहिती व आवश्यक त्या कार्यवाहीसाठी अग्रेषित.
- ४) पोलीस अधीक्षक पालघर यांना माहिती व आवश्यक त्या कार्यवाहीसाठी अग्रेषित.
- ५) उपविभागीय दंडाधिकारी वसई/पालघर/डहाणू/जव्हार/वाडा यांना माहिती व आवश्यक त्या कार्यवाहीसाठी.
- ६) अधीक्षक, राज्य उत्पादन शुल्क पालघर यांना माहिती तथा आवश्यक त्या कार्यवाहीसाठी.
- ७) जिल्हा शल्य चिकित्सक पालघर यांना माहिती तथा आवश्यक त्या कार्यवाहीसाठी.
- ८) जिल्हा आरोग्य अधिकारी पालघर यांना माहिती तथा आवश्यक त्या कार्यवाहीसाठी.
- ९) तहसीलदार तथा कार्यकारी दंडाधिकारी वसई/पालघर/डहाणू/तलासरी/मोखाडा/जव्हार/विक्रमगड/वाडा यांना माहिती व आवश्यक त्या कार्यवाहीसाठी.
- १०) गट विकास अधिकारी पंचायत समिती वसई/पालघर/डहाणू/तलासरी/मोखाडा/जव्हार/विक्रमगड/वाडा यांना माहिती व आवश्यक त्या कार्यवाहीसाठी.
- १२) जिल्हा माहिती अधिकारी पालघर यांना आवश्यक त्या प्रसिध्दीकरीता.
- १३) मुख्याधिकारी, नगरपरीषद/ नगरपंचायत पालघर/जव्हार/डहाणू/मोखाडा/विक्रमगड/वाडा/तलासरी यांना माहिती तथा आवश्यक त्या कार्यवाहीसाठी.
- १४) पालघर जिल्ह्यातील सर्व शासकीय/निमशासकीय/महामंडळे/खाजगी आस्थापना यांना माहिती तथा आवश्यक त्या कार्यवाहीसाठी.


(डॉ.किरण महाजन)

(स्थळ प्रतीवर मा.जिल्हाधिकारी यांची सही असे)

**निवासी उपजिल्हाधिकारी पालघर तथा
मुख्य कार्यकारी अधिकारी, जिल्हा आपत्ती
व्यवस्थापन प्राधिकरण, पालघर**

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: 30th September, 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, 21st May 2020, 31 May 2020, 4th June 2020, 25th June 2020, 29th June 2020, 6th July 2020, 7th July 2020, 29th July 2020, 4th August 2020, 19th August 2020 and 31st August 2020.
- 4) Ministry of Home Affairs (MHA) Order No. 40-3/2020-PM-1 (A) Dated 1st May 2020, 11th May 2020, 17th May 2020, 20th May 2020, 30th May 2020, 29th June 2020, 29th July 2020 and 29th August 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 31st August, 2020 to extend the lockdown measures up to 30th September, 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 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 31st October, 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 operationalize MISSION BEGIN AGAIN for easing of restrictions and phase-wise opening, till 31st October, 2020 for

MISSION BEGIN AGAIN

[Handwritten Signature]

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 directed that the National Directives for COVID-19 management as specified in Annexure I shall be followed throughout the State. The activities already allowed and permitted from time to time and as mentioned in Annexure II shall be continued and all earlier orders shall be aligned with this order and shall remain in force up to 31st October, 2020. Further easing under MISSION BEGIN AGAIN will be notified in the due course.

Any person violating these measures, guidelines or SOPs etc. issued from time to time by the State Government 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 III.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF MAHARASHTRA



(SITARAM KUNTE)
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. The Chairman, Railway Board, Rail Bhawan, New Delhi.
5. Additional Chief Secretary to Hon'ble Chief Minister, Government of Maharashtra.
6. Principal Secretary to Hon'ble Chief Minister, Government of Maharashtra.
7. The Chief General Manager, Central Railway, CSMT, Mumbai.
8. The Chief General Manager, Western Railway, Churchgate, Mumbai
9. Secretary to Hon'ble Deputy Chief Minister, Government of Maharashtra.
10. Private Secretary to Leader of Opposition, Legislative Council / Assembly.
11. Private Secretaries of All Hon'ble Minister/Minister of State, Mantralaya.
12. All Additional Chief Secretaries/Principal Secretaries/Secretaries of Govt of Maharashtra.
13. Director General of Police, Maharashtra State, Mumbai,
14. Principal Secretary, Public Health Department, Mantralaya,
15. Secretary, Medical Education, Mantralaya,
16. All Divisional Commissioners in the State
17. All Commissioners of Police in the State
18. All Commissioners of Municipal Corporations in the State
19. All District Collectors
20. All Chief Executive Officers, Zilla Parishad
21. All District Superintendents of Police in the State

(MISSION BEGIN AGAIN: Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 400 032, No: DMU/2020/CR. 92/DisM-1, Dated: 30th September, 2020)

National Directives for COVID-19 Management

- 1) **Face coverings** – wearing of face cover is compulsory in public places, in work places 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, 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. Staggering of work / business hours will be followed in offices, workplaces, shops, markets and industrial & commercial establishments.
- 7) **Screening and Hygiene** – provision for thermal screening, hand wash and sanitizer will be made available 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.

(MISSION BEGIN AGAIN: Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 400 032, No: DMU/2020/CR. 92/DisM-1, Dated: 30th September, 2020)

1. Containment Zones :-

- i. The Containment Zones in the State as categorised vide order dated 19th May, 2020 and 21st May, 2020 will remain in force till further orders.
- ii. The directions issued by the Central Government and State Government from time to time to demarcate the Containment Zones and operations therein will be in force till further orders.
- iii. Considering the local conditions, the concerned District Collector and the Commissioners of the Municipal Corporations in the State may enforce certain measures and necessary restrictions in specified local areas on the permitted non-essential activities and the movement of persons to contain the spread of the epidemic only with the prior written approval of Chief Secretary, Maharashtra.

2. Activities to remain prohibited across the State :-

- 1) Schools, colleges, educational and coaching institutions will remain closed till 31st October, 2020. Online / distance learning shall continue to be permitted and shall be encouraged.
 - 2) Cinema halls, swimming pools, entertainment parks, theatres (including that in malls and market complexes), auditoriums, assembly halls and similar places.
 - 3) International Air travel of passengers, except as permitted by MHA.
 - 4) Metro Rail.
 - 5) Social /political/ Sports/ entertainment/ academic/ cultural/ religious functions and other large congregations.
3. All essential shops which are allowed to remain open before this order, shall continue to do so.
4. The activities already allowed and permitted from time to time shall be continued and all earlier orders shall be aligned with this order and shall remain in force up to 31st October, 2020.

5. The following activities will be allowed to operate:-
- i. Hotels / Food Courts / Restaurants and Bars will be allowed to operate with effect from 5th October, 2020 with capacity not exceeding 50% or as may be prescribed by the local authorities. Separate SOP will be issued by the Tourism Department for necessary precautions to be taken while operating these establishments
 - ii. All industrial and manufacturing units of non-essential items in Mumbai Metropolitan Region would be allowed to operate.
6. There shall be free movement of oxygen carrying vehicles within and out of the State without any restrictions of timings. The competent authorities shall ensure the free movement of oxygen carrying vehicles and there shall be no restriction on oxygen manufacturers and suppliers.
7. All trains originating and ending their journey within the State to be restarted with immediate effect subject to the protocols regarding Covid-19 laid down by the State and Central Government from time to time.
8. The Railways to increase the frequency of the local trains in the MMR region to meet the increased demand subject to the protocols regarding Covid-19 laid down by the State and Central Government from time to time.
9. Dabbawalas in the MMR region to be allowed in the local trains after procuring of the QR codes from the office of the Commissioner of Police, Mumbai.
10. The local trains in Pune region to be resumed as per the protocols and procedure followed in MMR region. The Commissioner of Police, Pune will be the Nodal Officer to coordinate for the same.
11. Any other allowed and permitted activity by any specific/ general order would continue to operate.
12. Easing of Restrictions and opening up of the activities which remain prohibited across the State will be done in phased manner along-with Standard Operating Procedures / Guidelines.

[Department of Revenue and Forest, Disaster Management, Relief and Rehabilitation, Mantralaya, Mumbai- 40032, Order No: DMU/2020/CR. 92/DisM-1, Dated: 30th September, 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.
