

प्रेषक

उपायुक्त, हिसार।

प्रेषित

1. आयुक्त, नगर निगम, हिसार।
2. अतिरिक्त उपायुक्त, हिसार।
3. पुलिस अधीक्षक, हिसार/हांसी।
4. संयुक्त आयुक्त नगर निगम, हिसार।
5. मुख्य कार्यकारी अधिकारी, जिला परिषद, हिसार।
6. सभी कार्यकारी अधिकारी/सचिव, नगर पालिका/नगर परिषद, स्थित जिला हिसार।
7. सभी कार्यालयाध्यक्ष, स्थित जिला हिसार।


क्रमांक 48361-470 /एम0 ए0 दिनांक 7-12-2020

विषय:-

Standard Operating Procedures (SoPs)/Guidelines regarding Social academic/sports/ entertainment/ cultural/ religious/ political functions and other congregation.

उपरोक्त विषय बारे राज्य आपदा प्रबंधन प्राधिकरण, हरियाणा, चण्डीगढ़ से प्राप्त उनके पत्र क्रमांक DMC-SPO-2020/8065 दिनांक 03.12.2020 की प्रति आपको भेजकर लिखा जाता है कि पत्र में दिये गये आदेशो/हिदायतों की दृढ़ता से पालना करना सुनिश्चित करें। इसे परम अग्रता देवें।

सलंगन:-उपरोक्त।


उपायुक्त, हिसार।

From

The State Disaster Management Authority,
Haryana, Chandigarh.

To

1. All the Administrative Secretaries in the State of Haryana;
2. The Director General of Haryana Police;
3. All the Divisional Commissioners in the State of Haryana;
4. All the Deputy Commissioners in the State of Haryana;

Subject: Memo No.DMC-SPO-2020/ 8065 Chandigarh, dated the 03.12.2020
Standard Operating Procedures (SOPs)/Guidelines regarding Social academic/sports/ entertainment /cultural/ religious/ political functions and other congregation

Reference: - Order dated DMC-SPO-2020/7053 dated 22.10.2020

State is passing through a critical stage of COVID-19 pandemic and it is imperative to take necessary steps to contain the spread of COVID-19 outbreak, therefore, a revised SOP for social academic/sports/entertainment /cultural/ religious/ political functions and other congregation will be as follows:-

- i. In six districts namely, Gurugram, Faridabad, Rohtak, Hisar, Sonipat and Rewari in closed spaces, a maximum of 50% of the hall capacity will be allowed with a ceiling of 50 persons (i.e. 50 persons in the hall capacity of 100). In rest of the Districts, a maximum of 50% of the hall capacity will be allowed, with a ceiling of 100 persons (i.e. 100 persons in the hall capacity of 200). Wearing of face masks, maintaining social distancing, provision for thermal scanning and use of hand wash or sanitizer will be mandatory.
- ii. In open spaces in six districts namely Gurugram, Faridabad, Rohtak, Hisar and Sonipat, gatherings will be allowed with the ceiling of 100 person and rest of the Districts, the ceiling will be of 200 persons with strict observance of social distancing, mandatory wearing of face masks, provision for thermal scanning and hand wash or sanitizer.

It has further directed that the organizers of social, academic/ sports/ entertainment/ cultural/ religious/ political functions and other congregation gatherings shall take prior permission of District Magistrates. The District Magistrates will issue permissions after seeking necessary NOCs from the concerned Departments including police.

All the provisions of the SOPs issued vide letter dated 6.10.2020 by the Ministry of Health and Family Welfare, Government of India on preventive measures to contain spread of COVID-19 during festivities (**Annexure- A**) shall also be followed in letter & in spirit.

The Deputy Commissioners shall constitute joint inspection teams for enforcing the above instructions/directions and shall ensure extensive checking and action against the violators as per law/rules/instructions/directions issued from time to time by the State Government of Haryana.

The above directions shall be enforced by the Deputy Commissioners in their respective districts and any violations shall be punishable under the provisions of the Disaster Management Act, 2005 as well as under Section 188 of the Indian Penal Code, 1860 as per

National Directives and the offences and penalties for violating measures, as enclosed with the MHA order dated 30th September 2020 (**Annexure-B**) in the form of Annexure I & II.

Needless to mention here that the directions of Ministry of Home Affairs (MHA), Government of India regarding guidelines for re-opening issued dated 30th September, 2020 and consequent SOPs released by Ministry of Health & Family Welfare (MoHFW), Government of India dated 06th October, 2020 should not be diluted in any manner, whatsoever, while complying with these Standard Operating Procedures (SOPs).

These Standard Operating Procedures (SOPs) shall come into effect from 26th November, 2020. The district administration shall ensure wide publicity by MUNADI (beat of drums). Publicity may also be carried out through press release and social media.

Strict compliance of the same directions be ensured by all concerned.



(Sanjeev Kaushal) IAS

Financial Commissioner Revenue & Addl. Chief Secretary to Govt. of Haryana,

Encl : As above

For Chairperson, Haryana State Executive Committee

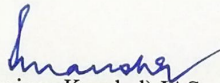
(Under State Disaster Management Authority)

Endst. No. DMC-SPO-2020/ 8066

Chandigarh, dated the 03.12.2020

A copy of the above is forwarded to the following for information and further necessary action please:-

1. All the Commissioners of Police in State of Haryana;
2. All the Superintendent of Police in the State of Haryana.



(Sanjeev Kaushal) IAS

Financial Commissioner Revenue & Addl. Chief Secretary to Govt. of Haryana,

For Chairperson, Haryana State Executive Committee

(Under State Disaster Management Authority)

6th October, 2020

**Government of India
Ministry of Health and Family Welfare
Directorate General of Health Services
(Emergency Medical Relief)**

**Standard Operating Procedures on preventive measures to contain spread of COVID-19 during
festivities**

1. Background

The months of October to December are time for festivities that witness gatherings of large number of people in specified locations for religious worship, fairs, rallies, exhibitions, cultural functions, processions etc. These events may last a day or a week or more. To prevent spread of COVID-19 infection, it is important that necessary preventive measures are followed for such events.

2. Scope

This document outlines various generic precautionary measures to be adopted in addition to specific measures to be taken at locations to prevent spread of COVID-19. No festivity events as enumerated in para 1 above will be allowed in Containment Zones.

Persons above 65 years of age, persons with comorbidities, pregnant women and children below the age of 10 years are advised to stay at home. This applies to the event managers and staff as well.

The competent authority may implement additional measures within their jurisdiction as per their local assessment and in line with activities permitted by Ministry of Home Affairs (MHA) as per MHA orders issued under Disaster Management Act, 2005 from time to time.

3. Administrative requirements

The festivals, fairs, rallies, exhibitions, cultural functions, processions and plays/ concerts associated with these festivities are mass events. Hence the following administrative requirement are advised:

- i. Identify spatial boundaries and prepare a detailed site plan which would facilitate compliance with thermal screening, physical distancing, sanitization etc.
- ii. In case of events that run for days or weeks, the crowd density doesn't remain the same throughout and usually peaks around certain hours of the day and some previously known auspicious days. Planning for the event should specifically factor this so that crowds are regulated and managed to ensure physical distance and frequent sanitization.
- iii. In case of rallies and immersion processions the number of people should not exceed the prescribed limit and proper physical distancing and wearing of masks must be ensured. In any case, the number of such rallies and the distance covered by them may be kept within manageable limits.
- iv. Events such as rallies, and processions spread over long distances may require support of ambulance services.

- v. Events planned to last for many days or weeks such as exhibitions, fairs, puja pandals, ramlila pandals or concerts and plays should have adequate measures to ensure a cap on physical numbers. Staggered timings and restricted entry may be considered.
- vi. Volunteers should be appropriately stationed to ensure thermal scanning, physical distancing and wearing of masks.
- vii. The guidelines issued for theatre and cinema artists will apply to stage performers.
- viii. Adequate supplies of sanitizers, thermal guns and physical distancing floor markings to be ensured.
- ix. Pre-identification of space/ site in each event venue for isolation of suspect cases.
- x. Close circuit cameras etc. may be considered to monitor compliance of physical distance norms, wearing of masks at each venue.
- xi. In case of rallies and processions, route planning, identification of immersion sites, ensuring cap on numbers, physical distancing etc. must be planned beforehand and measures for enforcement outlined.
- xii. All events must plan for medical care arrangements with linkages to nearest hospitals to attend to health emergencies.

4. **Generic preventive measures**

The generic preventive measures that include simple public health measures are to be followed to reduce the risk of COVID-19. These measures need to be observed by all; the event managers, the organizational staff and the public visiting the festivities and are as follows:

- i. Individuals must maintain a minimum distance of 6 feet in public places as far as feasible.
- ii. Use of face covers/masks to be mandatory.
- iii. Practice frequent hand washing with soap (for at least 40-60 seconds) even when hands are not visibly dirty. Use of alcohol-based hand sanitizers (for at least 20 seconds) can be made wherever feasible.
- iv. Respiratory etiquettes to be strictly followed. This involves strict practice of covering one's mouth and nose while coughing/sneezing with a tissue/handkerchief/flexed elbow and disposing off used tissues properly.
- v. Self-monitoring of health by all and reporting any illness at the earliest to State and District Helpline.
- vi. Spitting should be strictly prohibited.
- vii. Installation & use of Aarogya Setu App shall be advised to all.

5. **All festivity events shall also ensure:**

a) Planning of events

- i. A plan should be prepared well in advance about conduct of each activity (religious places, rallies, processions, cultural shows, fairs etc.), with all relevant stakeholders including event organizers, business owners, market associations, etc.
- ii. Festive events shall be permitted only outside the Containment Zones. Organizers/staff/visitors from Containment Zones shall not be permitted. People residing inside Containment Zones may be encouraged to observe all festivals inside their homes and not move out.

- iii. Keeping in view the physical distancing norms, event sites should have adequate floor area and proper markings at all locations which are likely to be visited by public.
- iv. Adequate manpower shall be deployed/ arranged by the organizers to ensure observance to physical distancing norms and other preventive measures at all times.
- v. Appropriate arrangements for personal protection gears like face covers/masks, and other logistic like hand sanitizers, soap, sodium hypochlorite solution for sanitizing frequently touched surfaces etc. shall be made available by event organizers/business owners for their staff as per requirements.
- vi. Adequate number of ticket counters shall be planned to facilitate compliance with physical distancing norms.
- vii. Event organizers/business owners may make suitable provisions for contact less payment.
- viii. A simple do's and don'ts advisory may be circulated / displayed prominently at each event venue.
- ix. Posters/standees/AV media on preventive measures from COVID-19 must be displayed prominently at the event sites.
- x. All event managers shall brief the stall owners/staff on the Standard Operating Procedures of Ministry of Health and Family Welfare in the context of COVID.
- xi. The event sites should have a designated isolation room/ space for isolating any person found symptomatic during events/shows/rallies, till such time that medical help is available.

b) Entry and exit to the event site

- i. Preferably multiple and separate entry and exits for visitors shall be ensured. The structure/space/venue for the event must also ensure adequate natural cross-ventilation.
- ii. Entrances to have mandatory hand hygiene and thermal screening provisions.
- iii. Only those staff and visitors who are free of symptoms shall be allowed inside the venue.
- iv. Anyone found symptomatic during thermal screening should be politely refused entry and advised to seek immediate medical care.
- v. All staff and visitors to be allowed entry only if using face cover/masks. The face cover/mask has to be worn by all at all times while in public places.
- vi. Physical distance of a minimum of 6 feet, when queuing up for entry and inside the venue as far as feasible. Specific marking for the purpose may be done.
- vii. Proper crowd management inside and outside premises like parking lots, waiting areas, stalls and eateries etc. — duly following physical distancing norms shall be ensured.
- viii. For entry into the religious places, shoes / footwear to be preferably taken off inside own vehicle. If needed they should be kept in separate slots for each individual / family by the persons themselves.

c) Movement within the event venue

- i. The number of visitors inside the event venue shall be restricted in accordance with the order issued by Ministry of Home Affairs from time to time.
- ii. Seating arrangement in the panduals, food courts, shows etc. must ensure adequate physical distancing. Any shops, stalls, cafeteria etc., outside and within the premises too shall follow physical distancing norms at all times.
- iii. Arrangements for safe drinking water, if required, should be made (preferably with provision for disposable cups/glasses) in the event premises.
- iv. For air-conditioning/ventilation, the guidelines of CPWD shall be followed which emphasize that the (i) temperature setting of all air conditioning devices should be in the range of 24-

30°C, (ii) relative humidity should be in the range of 40- 70%, (iii) re-circulation of air to be avoided to the extent possible, (iv) intake of fresh air should be as much as possible and (v) cross ventilation should be adequate.

- v. In religious places, touching of statues/idols / holy books etc. shall not be allowed.
- vii. In view of potential threat of spread of infection, as far as feasible recorded devotional music/songs may be played and choir or singing groups should not be allowed.
- viii. Community kitchens/langars / “Ann-daan”, etc. at event venue should follow physical distancing norms while preparing and distributing food.
- ix. Community kitchen managers and business owners of food outlets to ensure adherence to highest level of personal and environmental hygiene all the time, especially at the time of preparing, serving /eating meals and after disposal.

d) Sanitation and Hygiene

- i. Effective and frequent sanitation within the premises shall be maintained with particular focus on commonly touched surfaces/areas including lavatories, drinking and hand washing stations/areas.
- ii. Cleaning and regular disinfection (using 1% sodium hypochlorite) of frequently touched surfaces (doorknobs, elevator buttons, handrails, que barricades, seats, benches, washroom fixtures, etc.) to be made mandatory in all public utility common areas.
- iii. Visitors and staff should be advised to dispose of used face covers / masks in covered bins available at the premises. The waste thus generated may be disposed of in accordance with the hazardous waste disposal guidelines.

e) SOP to be followed in case of a suspect case or person who develops symptoms during the conduct of the event

- iv. Place the ill person in a room or area where they are isolated from others.
- v. The person will remain isolated while wearing a mask/face cover till such time he/she is examined by a doctor.
- vi. If symptoms deteriorate, inform the nearest medical facility (hospital/clinic) or call the State or District Helpline.
- vii. A risk assessment shall be undertaken by the designated public health authority (district RRT/treating physician) and accordingly further action be initiated regarding management of case, his/her contacts and need for disinfection.
- viii. Disinfection of the premises to be taken up if the person is found positive.

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

North Block, New Delhi-110001

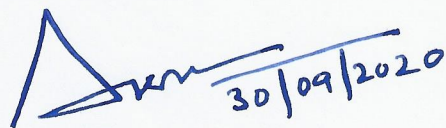
Dated 30th September, 2020

ORDER

Whereas, an Order of even number dated 29.08.2020 was issued for containment of COVID-19 in the country, for a period upto 30.09.2020;

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 re-open more activities in areas outside the Containment Zones and to extend the lockdown in Containment Zones upto 31.10.2020;

Now therefore, in exercise of the powers, conferred under Section 10(2)(l) of the Disaster Management Act 2005, the undersigned hereby directs that guidelines for Re-opening, as **annexed**, will be in force upto 31.10.2020.


30/09/2020

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 Re-opening

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

1. Activities permitted outside the Containment Zones

In areas outside the Containment Zones, all activities will be permitted, except the following:

- (i) State/ UT Governments may take a decision in respect of re-opening of schools and coaching institutions, after 15th October 2020, in a graded manner. The decision shall be taken in consultation with the respective school/ institution management, based on their assessment of the situation, and subject to the following conditions:
 - a. Online/ distance learning shall continue to be the preferred mode of teaching and shall be encouraged.
 - b. Where schools are conducting online classes, and some students prefer to attend online classes rather than physically attend school, they may be permitted to do so.
 - c. Students may attend schools/ institutions only with the written consent of parents.
 - d. Attendance must not be enforced, and must depend entirely on parental consent.
 - e. States /UTs will prepare their own standard operating procedure (SOP) regarding health and safety precautions for reopening of schools/ institutions based on the SOP to be issued by Department of School Education and Literacy (DoSEL), Ministry of Education, Government of India, keeping local requirements in view.
 - f. Schools, which are allowed to open, will have to mandatorily follow the SOP to be issued by Education Departments of States/ UTs prepared as above.
- (ii) Department of Higher Education (DHE), Ministry of Education may take a decision on the timing of the opening of Colleges/ Higher Education Institutions, in consultation with Ministry of Home Affairs (MHA), based on the assessment of the situation. Online/ distance learning shall continue to be the preferred mode of teaching and shall be encouraged.

However, Higher Education Institutions only for research scholars (Ph.D) and post-graduate students in science and technology stream requiring laboratory/ experimental works will be permitted to open from 15th October, 2020, as under:

- a. For Centrally Funded Higher Education Institutions, the Head of Institution will satisfy herself/ himself that there is a genuine

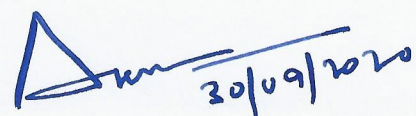

30/09/2020

requirement of research scholars (Ph.D) and post-graduate students in science and technology stream for laboratory/experimental works.

- b. For all other Higher Education Institutions e.g. State Universities, Private Universities etc., they may open only for research scholars (Ph.D) and postgraduate students in science and technology stream requiring laboratory/experimental works as per decision to be taken by the respective State/UT Governments.
- (iii) Swimming pools being used for training of sportspersons will be permitted to open with effect from 15th October, 2020, for which the SOP will be issued by Ministry of Youth Affairs & Sports (MoYA&S).
- (iv) Cinemas/ theatres/ multiplexes will be permitted to open with upto 50% of their seating capacity, in areas outside the Containment Zones only, with effect from 15th October 2020, for which, SOP will be issued by Ministry of Information & Broadcasting.
- (v) Entertainment parks and similar places will be permitted to open with effect from 15th October, 2020, for which the SOP will be issued by Ministry of Health & Family Welfare (MoHFW).
- (vi) Business to Business (B2B) Exhibitions will be permitted to open, in areas outside the Containment Zones only, with effect from 15th October 2020, for which, SOP will be issued by the Department of Commerce.
- (vii) Social/ academic/ sports/ entertainment/ cultural/ religious/ political functions and other congregations have already been permitted with a ceiling of 100 persons, outside Containment Zones only. Such gatherings beyond the limit of 100 persons may be permitted, outside Containment Zones, by State/ UT Governments only after 15th October 2020, and subject to the following conditions:
 - a. In closed spaces, a maximum of 50% of the hall capacity will be allowed, with a ceiling of 200 persons. Wearing of face masks, maintaining social distancing, provision for thermal scanning and use of hand wash or sanitizer will be mandatory.
 - b. In open spaces, keeping the size of the ground/ space in view, and with strict observance of social distancing, mandatory wearing of face masks, provision for thermal scanning and hand wash or sanitizer.State/ UT Governments will issue detailed SOPs, to regulate such gatherings and strictly enforce the same.
- (viii) International air travel of passengers, except as permitted by MHA.

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.



3. Lockdown limited to Containment Zones

- (i) Lockdown shall remain in force in the Containment Zones till 31st October, 2020.
- (ii) Containment Zones shall be demarcated by the District authorities at micro level after taking into consideration the guidelines of MoHFW with the objective of effectively breaking the chain of transmission. Strict containment measures will be enforced in these containment zones and only essential activities will 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 effectively implemented for the above purpose.
- (iii) These Containment Zones will be notified on the websites by the respective District Collectors and by the States/ UTs and information will be shared with MOHFW.

4. State/ UT Governments shall not impose any local lockdown (State/ District/ sub-division/City level), outside the containment zones, without prior consultation with the Central Government.

5. No restriction on Inter-State and intra-State movement

There shall be no restriction on inter-State and intra-State movement of persons and goods including those for cross land-border trade under Treaties with neighbouring countries. No separate permission/ approval/ e-permit will be required for such movements.

6. Movement of persons with SOPs

Movement by passenger trains; domestic passenger air travel; movement of persons on Vande Bharat and Air Transport Bubble flights; and sign-on and sign-off of Indian seafarers will continue to be regulated as per SOPs issued.

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.

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.


30/09/2020

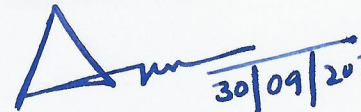
- (iii) District authorities may advise individuals to install the *Aarogya Setu* application on compatible mobile phones and regularly update their health status on the app. This will facilitate timely provision of medical attention to those individuals who are at risk.

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) For the enforcement of social distancing, State/ UT Governments may, as far as possible, use the provisions of Section 144 of the Criminal Procedure Code (CrPC) of 1973.
- (iii) 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**.



30/09/2020

**Union Home Secretary
and, Chairman, National Executive Committee**

NATIONAL DIRECTIVES FOR COVID-19 MANAGEMENT

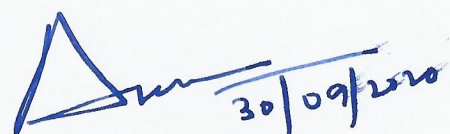
1. **Face coverings:** Wearing of face cover is compulsory in public places; in workplaces; and during transport.
2. **Social distancing:** Individuals must maintain a minimum distance of 6 feet (2 gaz ki doori) in public places.

Shops will ensure physical distancing among customers.

3. **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.

Additional directives for Work Places

4. **Work from home (WfH):** As far as possible the practice of WfH should be followed.
5. **Staggering of work/ business hours** will be followed in offices, work places, shops, markets and industrial & commercial establishments.
6. **Screening & hygiene:** Provision for thermal scanning, hand wash or sanitizer will be made at all entry points and of hand wash or sanitizer at exit points and common areas.
7. **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.
8. **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.



30/09/2020

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 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 trends 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.