
	<p align="center">DELHI JAL BOARD: GOVT. OF NCT OF DELHI OFFICE OF THE ASSTT. COMMISSIONER(W) VARUNALAYA PHASE-II KAROL BAGH, NEW DELHI-110005 PHONE:- 011-23544796 E-mail:- ac.water22@yahoo.co.in</p>	 <p align="center">एक कदम स्वच्छता की ओर</p>
---	--	---

F. No. 24(2013)-II/DJB/AC(W)/2020/E-Receipt No. 968834

Dated : 03.06.2020

C I R C U L A R

Subject : Guidelines on the measures to be taken for containment of COVID-19 in NCT of Delhi for the extended period of Lockdown for a further period of w.e.f. 01.06.2020 to 30.06.2020 and to re-open prohibited activities in a phased manner in areas outside the containment Zones.

Please find enclosed herewith Order No. F/02/07/2020/S.I/part file/212 dated 01.06.2020 issued by Chief Secretary/DDMA, Govt. of NCT of Delhi, along with Annexure-A & Order No. 40-3/2020-DM-1(A) dated 30.05.2020 of Union Home Secretary, Government of India, Ministry of Home Affairs, North Block, New Delhi-11000, along with Guidelines for Phased Re-opening (Unlock 1), Annexure - I and Annexure - II for information and necessary action.

Encl : - As above

AK
(ALKA SHARMA)
 Assistant Commissioner (Water)

All DDOs/Controlling Officers

Copy for kind information to:-

1. PS to Chairman/Vice Chairman
2. CEO/Member (Admn.)/(Fin.)/(WS)/(DR)/CVO
3. All Directors/Addl. CEO/Secretary, DJB.
4. All CEs
5. All ACs/Secretary to CEO
6. EE (EDP) Cell with request to upload this Circular on the DJB's website.

AK
 Assistant Commissioner (Water)



AE/EDP
04-06-2020
Prog-I

Fwd: Order No. 212 dated 01.06.2020

From: Delhi Jal Board Director (A&P) (djbdirector@gmail.com)

To: ac.water22@yahoo.co.in

Date: Tuesday, 2 June, 2020, 11:29 am IST

----- Forwarded message -----

From: **ceodelhi.djb** <ceodelhi.djb@nic.in>

Date: Mon, Jun 1, 2020 at 5:26 PM

Subject: Fwd: Order No. 212 dated 01.06.2020

To: Director <djbdirector@gmail.com>

----- Original Message -----

From: **CEO ddma** <ddma.ceo@gmail.com>

Date: Jun 1, 2020 4:01:50 PM

Subject: Order No. 212 dated 01.06.2020

To: rcoop@nic.in, ps2cfs@gmail.com, pshome@nic.in, sgad@nic.in, secservices@nic.in, pspwd@nic.in, pspower@nic.in, pshealth@nic.in, serv@nic.in, psud@nic.in, chairmandsssb.delhi@nic.in, secyedu@nic.in, divcom@nic.in, cmd.dtc@delhi.gov.in, ceodelhi.djb@nic.in, ctt.delhi@nic.in, delhishelter@gmail.com, cexcise@nic.in, commtpt@nic.in, labcomm.delhi@gmail.com, cdevelop@nic.in, dagri@sansad.nic.in, diredu@nic.in, buildingland22@gmail.com, cfss.delhi@nic.in, dvigil@nic.in, dutcs@nic.in, slaw@nic.in, psfin@nic.in, dsw@nic.in, dirtte.delhi@nic.in, dtehedu@gmail.com, secyit@nic.in, pssw@nic.in, comind@sansad.nic.in, scstsecretary@gmail.com, secyar@nic.in, secyart@nic.in, commissioner-sdmc@mcd.gov.in, commissioner-edmc@mcd.gov.in, commissioner-ndmc@mcd.gov.in, J_saranghi@hotmail.com, chairperson@ndmc.gov.in, cmd@dtc.nic.in, csdelhi@nic.in, directordip2014@gmail.com, mddsiidc@gmail.com, ambd@nic.in, md@delhitourism.gov.in, secretary@ndmc.gov.in, pstechedu@nic.in, directorateofismh@gmail.com, jdpdg@nic.in, rgupta@nic.in, wcd@nic.in, cp.amulyapatnayaik@delhipolice.gov.in, sandeep.behl@nic.in, commissioneredmc@mcd.gov.in, commissionersdmc@mcd.gov.in, dg.bcas@gov.in, dcnorth@nic.in, ceodelhicant@gmail.com, cp.snsrivastava@delhipolice.gov.in, ndmc@gmail.com, dcp-east-dl@nic.in, dcp-northeast-dl@nic.in, dcp-shahadra@delhipolice.gov.in, dcp.south@delhipolice.gov.in, dcpsed@gmail.com, dcp-west-dl@nic.in, dcp-dwk-dl@delhipolice.gov.in, dcp-central-dl@nic.in, dcp-north-dl@nic.in, dcp-northwest-dl@nic.in, dcp-rohini-dl@delhipolice.gov.in, dcentra@nic.in, dceast@nic.in, dcnd@nic.in, dcne@nic.in, dcnw@nic.in, dcshahdara2014@gmail.com, dcsouth@nic.in, dcse.rev.delhi@nic.in, dcsw@nic.in, dcwest@nic.in, commissioneredmc@gmail.com, dyancsz@mcd.org.in, seclg@nic.in, cmdelhi@nic.in, msisodia.delhi@gov.in, revenue.covid@gmail.com, labcomm.delhi@gmail.com, dshome1.delhi@nic.in, Food.secy@gmail.com, northadm@nic.in, northduda@gmail.com, sdmnarela00@gmail.com, sdmalipur@gmail.com, modelsdm@nic.in, sdmenorth8@gmail.com, accbranch.dmnorth@gmail.com, ra949@yahoo.com, sk.gautam31@gov.in, Sanjeevkhirwar94@gmail.com, secretaryprdp@gmail.com

PFA

Regards,

Nodal Officer, DDMA



Order No. 212.pdf

7.7MB

893
2-06-2020

**GOVERNMENT OF NCT OF DELHI
DELHI DISASTER MANAGEMENT AUTHORITY**

No. F.2/07/2020/S.I/part file/ 212

Dated: 01.05.2020

ORDER

Whereas, the Delhi Disaster Management Authority (DDMA) is satisfied that the NCT of Delhi is threatened with the spread of COVID-19 epidemic, which has already been declared as a pandemic by the World Health Organization, and has considered it necessary to take effective measures to prevent its spread in NCT of Delhi;

And whereas, Delhi Disaster Management Authority has issued various orders/instructions from time to time to all authorities concerned to take all required measures to appropriately deal with the situation;

And whereas, Delhi Disaster Management Authority has issued Order No. 176 dated 18.05.2020 with regard to extension of lockdown till the midnight of 31.05.2020, in pursuance of Ministry of Home Affairs, Govt. of India Order No.40-3/2020-DM-I(A) dated 17th May 2020.

And whereas, Ministry of Home Affairs, Govt. of India, vide Order No. 40-3/2020-DM-I(A) dated 30.05.2020 annexed with guidelines for Phased Re-opening (Unlock-I) as well as further DO letter No. 40-3/2020-DM-I(A) dated 30.05.2020 (copy enclosed), has ordered to extend the lockdown in Containment Zones upto 30.06.2020 and to re-open prohibited activities in a phased manner in areas outside the Containment Zones.

Now, therefore, in exercise of powers conferred under section 22 of the Disaster Management Act, 2005, the undersigned, in his capacity as Chairperson, State Executive Committee, DDMA, GNCTD, hereby directs as under:

- a) The lockdown period in the Containment Zones in the territory of NCT of Delhi is extended upto 30.06.2020. In the Containment Zones, all actions should be taken strictly as per Clause-3&4 of Annexed guidelines in letter and spirit by all authorities concerned. The guidelines issued in this regard by Ministry of Health & Family Welfare, Govt. of India as well as Department of H&FW, GNCTD will be strictly implemented.
- b) In the areas of NCT of Delhi outside Containment Zones, the permissible and prohibited activities w.e.f. 01.06.2020 shall be as specified in the Annexure-A enclosed with this order.
- c) All District Magistrates of Delhi and their counterpart District Deputy Commissioners of Police shall ensure the strict enforcement of these instructions and shall also adequately inform and sensitize the field functionaries about these instructions for strict compliance, in letter and spirit.
- d) Pr. Secretary (I&P) shall ensure wide publicity and dissemination of the instructions issued in this order and annexed guidelines to the public for their knowledge and convenience.

All the Departments of GNCT of Delhi / Autonomous bodies/ PSUs / Corporations / Local Bodies / Delhi Police shall ensure strict compliance of this order as well as MHA Order dated 30.05.2020 along with annexed guidelines and Annexures I & II.



(Vijay Dev)

Chief Secretary, Delhi

Copy for compliance to:

1. All Additional Chief Secretaries/Principal Secretaries/Secretaries/HODs of Government of NCT of Delhi.
2. Commissioner of Police, Delhi
3. Chairman, New Delhi Municipal Council.

52/C

4. Pr. Secretary (I&P) for wide publicity in NCT of Delhi
5. Commissioner (South DMC/East DMC/North DMC).
6. CEO, Delhi Cantonment Board.
7. All District Magistrates of Delhi
8. All District DCPs of Delhi

Copy for kind information to:-

1. Pr. Secretary to Hon'ble Lt. Governor, Delhi.
2. Addl. Secretary to Hon'ble Chief Minister, GNCTD.
3. Secretary to Hon'ble Dy. Chief Minister, GNCTD.
4. Secretary to Hon'ble Minister of Health, GNCTD.
5. Secretary to Hon'ble Minister of Revenue, GNCTD.
6. Secretary to Hon'ble Minister of Labour, GNCTD.
7. Secretary to Hon'ble Minister of Social Welfare, GNCTD.
8. Secretary to Hon'ble Minister of Food & Supply, GNCTD.
9. Addl. Chief Secretary (Home), Delhi
10. Pr. Secretary (Revenue)-cum-Divisional Commissioner, GNCTD.
11. All members of State Executive Committee, DDMA, GNCTD.
12. System Analyst, O/o Divisional Commissioner, Delhi for uploading of the order on website – ddma.delhigovt.nic.in.
13. Guard file.

The following activities will continue to remain prohibited throughout the NCT of Delhi:

- (i) Metro Rail Services
- (ii) All schools, colleges, educational / training / coaching institutions etc. will remain closed. **Online / distance learning shall continue to be permitted and shall be encouraged.**
- (iii) Hotels and other Hospitality services, **except** those meant for housing health / police / Government officials / healthcare workers / stranded persons including tourists and those used for quarantine facilities; and running of canteens at bus depots, railway stations and airports.
- (iv) All cinema halls, **shopping malls**, gymnasiums, swimming pools, entertainment parks, theatres, bars and auditoriums, assembly halls and similar places.
- (v) All social / political / sports / entertainment / academic / cultural /religious functions / other gatherings and large congregations.
- (vi) All religious places/places of worship shall be closed for public. Religious congregations are strictly prohibited.
- (vii) Spas

2. The following activities are permitted with restrictions as specified. No permission is required from any authority for undertaking the following permitted activities:

- (i) Restaurants shall be permitted to operate kitchens for home delivery & takeaway of food items.
- (ii) Transportation by buses: Intra-State (within NCT of Delhi) movement of buses (DTC as well as Cluster) shall be permitted with the condition that not more than 20 passengers shall be allowed at one time inside the bus. In the case of buses, boarding shall be allowed only from the rear door while de-boarding shall be allowed only from the front door. Before entering into the bus, each passenger shall be screened through thermal gun on 'best effort' basis. The Transport Department shall deploy adequate number of bus marshals inside each bus at all times for maintaining social distancing inside the bus and restricting the number of passengers to 20.

Social distancing shall be ensured by Transport Department at all bus stands / depots by deploying adequate number of marshals.

- (iii) The transportation of passengers, other than by buses, shall also be allowed. After disembarkment of every passenger the driver shall disinfect the passenger sitting area.

50/6

(iv) All Private Offices as well as Government Offices shall be permitted to function in full strength. However, for private offices, as far as possible the practice of work from home should be followed.

(v) **SHOPS AND MARKETS:**

(a) All markets and market complexes shall remain open.

(b) Social distancing (2 Gaz ki doori) will be maintained in all cases. If social distancing is not maintained by any shop, then the said shop shall be liable to be closed in view of public health hazard involved in containing the spread of COVID-19 pandemic and the shopkeeper shall also be liable for prosecution under the relevant laws.

(vi) Industrial establishments shall be permitted to function.

(vii) Construction activities shall be permitted wherever the workers are available on-site or could be transported to the site from within the NCT of Delhi.

(viii) Marriage related gathering subject to social distancing (maximum 50 guests allowed)

(ix) Funeral / last rites related gathering subject to social distancing (maximum 20 persons allowed).

(x) RWAs shall not prevent any person from performing their services and duties which has been permitted under these guidelines.

3. 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.

4. All other activities will be permitted, except those which are specifically prohibited. However, in Containment Zones, only essential activities shall be allowed.

5. Measures for well-being and safety of persons:

(i) The movement of individuals shall remain strictly prohibited between 9.00 p.m. to 5.00 a.m., except for essential activities.

District 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.

(ii) 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.

6. Unrestricted movement of persons and goods

- (i) Movement of individuals and vehicles is allowed within the NCT of Delhi. No separate permission/ approval/ e-permit will be required for these movements.
- (ii) In view of current public health situation in the NCT of Delhi, inter-state movement of non-residents of Delhi, into the territory of Delhi shall be allowed only on the production of e-passes issued for essential services or in case of emergent circumstances, by authorities of respective State/UT and / or District Magistrates of NCT of Delhi. However, Government employees shall be allowed on the production of Government ID card.
- (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 authorities of GNCT of Delhi and Delhi Police shall stop the movement of any type of goods/ cargo for cross land-border trade under Treaties with neighbouring countries.

7. National Directives for COVID-19 Management

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

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. 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 enclosed.

48/C

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

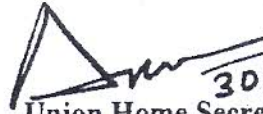
North Block, New Delhi-110001
Dated 30th May, 2020

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.



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.



45/C

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**.


30/05/2020
Union Home Secretary

and, Chairman, National Executive Committee

44/C

Annexure I

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.


30/5/20

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.

42/C

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.
