

**Government of Punjab
Department of Home Affairs & Justice**

To

1. All the Divisional Commissioners and the Deputy Commissioners in the State
2. All the Zonal IGPs, Commissioners of Police, DIGs and SSPs in the State

No.SS/ACSH/2020/560

Dated: Chandigarh, the 31st day of July, 2020.

Sub: Guidelines for Phased Reopening (Unlock 3) to be implemented from 01.08.2020 to 31.08.2020.

1. This is in continuation to this office letter No. SS/ACSH/2020/506 dated the 30th June 2020 vide which guidelines for Unlock 2.0 to be implemented from 01.07.2020 to 31.07.2020 were circulated for compliance.

The Ministry of Home Affairs (MHA), Government of India has, vide order No. 40-3/2020-DM-I(A) dated 29th July 2020 (copy attached herewith), issued new guidelines for Unlock-3 to be implemented from 01.08.2020 to 31.08.2020.

As per para 9 of the MHA order, the guidelines are to be strictly enforced and shall not be diluted by the district authorities.

Your attention is also drawn to para 5 of the MHA order vide which district authorities have been allowed to impose such restrictions as deemed necessary in areas outside the Containment Zones. However, 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.

Based on the MHA order dated 29th July 2020, the State Government hereby issues detailed guidelines as under for the period 01.08.2020 to 31.08.2020:-

2. Activities prohibited in areas outside Containment Zones

The following activities shall not be permitted:-

- (i) Schools, colleges, educational and coaching institutions will remain closed till 31st August, 2020. On-line/distance learning shall continue to be permitted and shall be encouraged.
- (ii) International air travel of passengers, except as permitted by MHA.
- (iii) Metro Rail.
- (iv) Cinema halls, swimming pools, entertainment parks, theatres, bars, auditoriums, assembly halls and similar places.

Dafin Anand

Yoga institutes and gymnasiums will be allowed to function from 5th August 2020 for which, Standard Operating Procedure (SOP) will be issued by the Ministry of Health & Family Welfare (MoHFW), Government of India (GoI).

- (v) Social/political/sports/entertainment/academic/cultural/religious functions and other large congregations.

3. Lockdown limited to Containment Zones

- (i) As per para 4 of MHA Order, lockdown shall continue to remain in force in Containment Zones till 31st August, 2020.
- (ii) Containment Zones are to be demarcated by the District authorities as per the guidelines of the Ministry of Health & Family Welfare (MoHFW), Government of India (GoI). Only essential activities shall be permitted in the Containment Zones. Containment Zones will be notified on the web-sites by the respective Deputy Commissioners and the State Health Department and information would also be shared with the MoHFW, GoI.
- (iii) The District authorities may accordingly take requisite action in Containment and Buffer Zones as per guidelines of MoHFW, GoI and the Department of Health & Family Welfare, Government of Punjab.

4. Guidelines for areas outside containment zones

In supersession of all the previous guidelines, the guidelines as under, would be applicable to the areas outside the containment zones in the State during the unlock-3 period i.e. from 01.08.2020 to 31.08.2020 with some restrictions as given in the following paragraphs. A summary of restrictions applicable from 01.08.2020 to 31.08.2020 is given in the Annexure to these instructions.

(1) Night curfew (11 pm to 5 am):

Movement of individuals for all the non-essential activities shall remain prohibited between 11.00 pm to 5.00 am throughout the State.

However, essential activities including operation of multiple shifts, movement of persons and goods on National and State Highways and unloading of cargo and travel of persons to their destinations after disembarking from buses, trains and aeroplanes will be permitted.

The district authorities are accordingly directed to issue prohibitory orders u/s 144 of Cr.PC and ensure strict compliance.

(2) National Directives:

The National Directives for Covid-19 Management as specified in Annexure-I to MHA Order dated 29.07.2020 shall be followed throughout the State.

Darshan Arora

(3) **Movement of persons with SOPs:**

Movement by passenger trains and *Shramik* special trains, domestic 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.

(4) **Protection of vulnerable persons:**

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

(5) **Annual examinations, competitive examinations, Admission/ entrance tests conducted by Universities, Boards, Public Service Commissions and other institutions:**

The Union Secretary has, vide DO letter dated 20.05.2020 has permitted Board and other examinations.

Accordingly, all kinds of examinations, admission/entrance tests conducted by Universities, Boards, Public Service Commissions and other institutions are allowed with usual precautions of sanitation and social-distancing.

(6) **Restricted activities:**

- (i) *Marriage related gatherings* – Number of guests not to exceed thirty (30).
- (ii) *Funeral/last rites* – Number of persons not to exceed twenty(20).
- (iii) *Spitting in public places*: is completely prohibited and punishable with fine.
- (iv) *Consumption of liquor, pan, gutka, tobacco etc.* in public places is prohibited. However, there will be no restriction on their sale

(7) **Religious places/places of worship for public:**

- (i) Places of worship/religious places shall remain open only between **5 am to 8 pm**.
- (ii) The maximum number of persons at the time of worship shall not exceed twenty (20) with due distancing and therefore, the worship time should be staggered accordingly.
- (iii) The managements of these places shall make adequate arrangements to ensure hand hygiene, social distancing and wearing of masks.
- (iv) Langar and Prasad are allowed. SOP for religious places be followed.

Danish Chauhan

(8) **Restaurants:**

Restaurants are allowed to open till 10pm with 50% occupancy or fifty (50) guests, whichever is less. Liquor can be served provided the restaurant has a valid permission from the Excise Department. However, bars shall remain closed. The management will comply with the SoP attached herewith.

(9) **Hotels and other Hospitality Units:**

Restaurants in Hotels are allowed to serve food including buffet meals upto 50% of their seating capacity or fifty (50) guests, whichever is less. These restaurants would also be open to persons other than hotel guests but the timings, for both the hotel guests as well as persons from outside would be till 10 pm. The bars shall remain closed. However, liquor can be served in the Rooms and Restaurants, as permitted under the Excise policy of the State. SoP attached herewith will be followed.

(10) **Marriages, other Social Functions and 'Open-Air' Parties:**

- (i) Marriages, other Social Functions and 'Open-Air' Parties in Banquet Halls, Marriage Palaces, Hotels and open venues can be organised upto thirty (30) persons. The number of guests exclusive of catering staff would not exceed thirty (30) persons.
- (ii) The size of Banquet Hall and venue for thirty (30) persons shall at least be 3,000 sq. feet based on requirement of 10' x10' area for a person for the purpose of maintenance of adequate social distancing.
- (iii) The Bars shall, continue to remain closed. However liquor can be served in the function as per the Excise Policy of the State.

SOP for hotels and other hospitality units will be followed.

(11) **Opening of Shops and shopping Malls:**

All the Shopping Malls and shops including shops in main bazars in both urban and rural areas allowed to open between 7am to 8 pm.

However restaurants/ hotels situated within shopping malls are to be treated separately and can remain open upto 10 pm

Liquor vends shall however remain open from 8 am to 10 pm.

However, for shops situated in main bazars, market complexes and rehri markets and other crowded places, district authorities can exercise their discretion and in order to avoid crowding shall stagger the opening of shops.

Barber shops, hair-cut saloons, beauty parlours and Spas: will be allowed from 7 am to 8 pm subject to compliance of the SOP as issued by the Health Department, Punjab.

Darshan Chawla

Week- end restrictions (Sundays):

- (i) **Shops:** shops dealing with essential commodities will be allowed to remain open till **8 pm** on all days.
- (ii) **Restaurants and Liquor Vends:** will continue to remain open till **10 pm** on all days.
- (iii) On Sundays, shops (other than those dealing in essential commodities) and shopping malls shall remain closed.

However on **Sunday, 02/08/2020** all shops & shopping malls will remain open from 7am to 8 pm on account of **Raksha Bandhan**.

(12) **Sports complexes, stadia and public parks:** will be allowed to open between **5 am to 8 pm** without spectators as per the SOP of the Health Department.

(13) **Industries & industrial establishments, Construction Activities etc. allowed.**

(14) **Movement of Buses and Vehicles:** Inter-state and intra-state movement of buses would be allowed without any restriction. Transport vehicles can utilise the entire seating capacity.

(15) **Permits and passes:**

- (i) No separate permission would be required by the industries and other establishments for their operations. All employees would be allowed without any requirement of pass during the permitted hours as mentioned in the above paragraphs for various establishments.
- (ii) There shall be no restriction on inter-state and intra-state movement of persons and goods and no separate permission/approval/permit will be required for such movement.
- (iii) Use of Cova-app and self-generated pass would be mandatory for inter-state passengers

(16) **Social distancing and wearing of masks:**

Social distancing i.e. minimum 6 feet distance (do gaz ki duri) for all the activities shall always be maintained. Accordingly, if any permitted activity leads to crowding and congestion, then necessary steps in terms of staggering, rotation, timings of offices and establishments etc. be taken and it be ensured that principles of social distancing are not compromised.

Wearing of masks by all persons in public places, including work places etc. will be mandatory and must be strictly observed and enforced.

(17) **Use of Arogaya Setu :**

Employees are advised to ensure that Arogaya Setu is installed by all the employees having compatible mobile phones. Similarly, individuals are also to be advised by the district authorities to install *Arogaya Setu* application on their compatible mobile phones and also regularly update their health status on the app.

(18) **Penal provisions:**

Any violation of these guidelines and lockdown measures shall be punishable under sections 51 to 60 of the Disaster management Act, 2005 besides legal action under section 188 of Indian Penal Code (IPC).

5. Please acknowledge and ensure strict compliance.

Darshan Anand
Special Chief Secretary (Home)
31.07.2020

CC:

1. CPS/CM
2. CS
3. PSCM
4. All administrative Secretaries
5. DGP Punjab
6. ADGP-Law & Order

Attachments:

1. Summary of restrictions applicable from 01.08.2020 to 31.08.2020.
2. MHA Guidelines dated: 29/07/2020.

Guidelines of Punjab Government for Phased Re-opening : Unlock-3 from (1/8/2020 - 31/8/2020)

S.No	Activity	Punjab Government
1	International Air Travel	No
2	Cinema Halls, swimming pools, entertainment parks, theatres, bars, auditoriums, assembly halls and similar places.	No
3	Social/ political/ sports/ entertainment/ academic/cultural/ religious functions and other large Congregations	No
4	Schools, colleges, educational & coaching Institutes	No
5	Bars	No
6	Spitting in public	No
7	Consumption of liquor, paan, gutka, tobacco in public places	No
8	Night curfew	Yes, 11 pm to 5 am
9	Domestic Air Travel	Yes as per SOP
10	Trains	Yes as Per SOP
11	Movement of persons above 65 year, pregnant women & children below 10 year except	Not Advised
12	Marriages	Yes upto 30 Guests
13	Funeral/ last rites	Yes upto 20 Persons
14	Examination - Board, Universities etc.	Yes
15	Training institutes of Central/ State Government	Yes, with SOP from 15/7/2020
16	Gymnasiums, yoga institutes	To be opened from 5/8/2020
17	Religious places/ places of worship for public	Yes, with SOP from 5am to 8 pm with 20 devotees at a time.
18	Shopping Malls	Yes, till 8 pm with 50% maximum capacity
19	Shops	Yes (7am to 8 pm)
20	Barber shops, beauty parlour, saloons, spa shops	Yes (7am to 8 pm)
21	Liquor shops	Yes (8 am - 10 pm)
22	Hotels and other hospitality Services (including hotels in malls)	Yes, with SOP till 10 pm
23	Restaurants (including restaurants in malls)	Yes, till 10 pm with 50% capacity or 50 guest which ever is less
24	Sports complex and stadiums	Yes, without spectators as per SOP from 5 am to 8 pm
25	Public Parks	Yes, from 5 am to 8 pm but no gatherings
26	Movement of Individuals within the State-Inter- district	Yes without any pass
27	Inter-State movement of persons	Yes, against a self generated e-pass from COVA app and as per SOP
28	Socializing- People are advised against social visits to other people's homes.	Advised against socializing. Movement only for essential tasks.
29	Inter-State Buses	Yes, with full capacity
30	Intra-state Buses	Yes, with full capacity
31	Taxis and Cab aggregators	Yes, with full capacity
32	Rickshaw and Auto Rickshaw	Yes, with full capacity
33	4 wheeler	Yes, with full capacity
34	2 wheeler	Yes
35	Inter-State Movement of Goods traffic	Yes
36	Construction in rural & urban areas	Yes
37	Agriculture, Horticulture, Animal Husbandry, Veterinary (essential services)	Yes
38	Bank & Finance	Yes
39	Courier, Postal service	Yes
40	Industry in Rural & Urban areas	Yes
41	E-Commerce	Yes
42	Educational Institutions for office work, online teaching & book distribution.	Yes
43	Private offices	Yes
44	Central Government offices	Yes
45	Punjab Government offices	Yes, with Full strength
46	All other activities not specifically prohibited in MHA Guidelines	Yes
47	District Authorities to impose additional restrictions	Yes, as per requirement
48	Weekend restrictions (Sunday)	
	1. Shops dealing with essential commodities (All days) 2. Shops other than dealing with essential commodities & Shopping Malls (Sunday)	Yes, upto 8 pm No. To remain closed on Sundays
Passes for workers & employees		Yes, without pass
Passes for vehicles of workers & employees		Yes, without pass
Offices	District Magistrate is competent to stagger the timings of offices (without curtailing the office hours) The request from banks for opening early in the morning may be accepted so that people are not required to stand in the sun.	Yes

Dep'n change

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

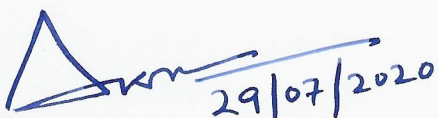
North Block, New Delhi-110001
Dated 29th July, 2020

ORDER

Whereas, an Order of even number dated 29.06.2020 was issued for containment of COVID-19 in the country, for a period upto 31.07.2020;

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 31.08.2020;

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 on **Unlock 3**, as **annexed**, will be in force upto 31.08.2020.


29/07/2020
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 3)

**[As per Ministry of Home Affairs (MHA) Order No. 40-3/2020-DM-I (A)
dated 29th July, 2020]**

1. Activities permitted during Unlock 3 period outside the Containment Zones

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

- (i) Schools, colleges, educational and coaching institutions will remain closed till 31st August, 2020. Online/ distance learning shall continue to be permitted and shall be encouraged.
- (ii) Cinema halls, swimming pools, entertainment parks, theatres, bars, auditoriums, assembly halls and similar places.
Yoga institutes and gymnasiums will be allowed to function from 5th August 2020 for which, Standard Operating Procedure (SOP) will be issued by the Ministry of Health & Family Welfare (MoHFW).
- (iii) International air travel of passengers, except as permitted by MHA.
- (iv) Metro Rail.
- (v) Social/ political/ sports/ entertainment/ academic/ cultural/ religious functions and other large congregations.

Dates for re-starting the above activities may be decided separately and necessary SOPs shall be issued for ensuring social distancing and to contain the spread of COVID-19.

2. Independence day functions

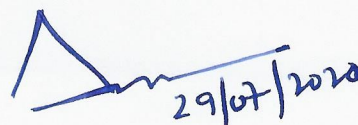
Independence day functions at National, State, District, Sub-Division, Municipal and Panchayat levels and 'At Home' functions, wherever held, will be allowed with social distancing and by following other health protocols e.g. wearing of masks. In this regard instructions issued vide MHA letter no 2/5/2020-Public dated 21.07.2020 shall be followed.

3. 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.

4. Lockdown limited to Containment Zones

- (i) Lockdown shall continue to remain in force in the Containment Zones till 31st August, 2020.
- (ii) Containment Zones will be demarcated by the District authorities after taking into consideration the guidelines of MoHFW with the objective of


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effectively breaking the chain of transmission. 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.

- (iii) In the Containment Zones, 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.
 - (iv) Activities in the Containment Zones shall be monitored strictly by the State/ UT authorities, and the guidelines relating to containment measures in these zones shall be strictly implemented.
 - (v) 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.**

However, 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**

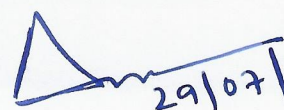
Movement by passenger trains and *Shramik* special trains; domestic passenger air travel; movement of Indian Nationals stranded outside the country and of specified persons to travel abroad; evacuation of foreign nationals; and sign-on and sign-off of Indian seafarers will continue to be regulated as per SOPs issued.

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.


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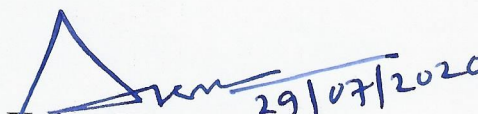
- (ii) With a view to ensuring safety in offices and work places, employers on best effort basis should ensure that *Aarogya Setu* is installed by all employees having compatible mobile phones.
- (iii) District authorities may advise individuals to install the *Aarogya Setu* application on compatible 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**.


29/07/2020

Union Home Secretary

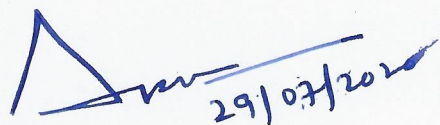
and, Chairman, National Executive Committee

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. **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 or sanitizer will be made at all entry points and of hand wash or sanitizer at 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.


29/07/2020

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.
