

U.P. Prevention and Control of Malaria, Dengue, Kala-azar and any Vector Borne Disease Regulations, 2016

UTTAR PRADESH

India

U.P. Prevention and Control of Malaria, Dengue, Kala-azar and any Vector Borne Disease Regulations, 2016

Rule

U-P-PREVENTION-AND-CONTROL-OF-MALARIA-DENGUE-KALA-AZA of 2016

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U.P. Prevention and Control of Malaria, Dengue, Kala-azar and any Vector Borne Disease Regulations, 2016 Published vide Notification No. 1288/Sec-5/5-2016-Mala-48-2016, dated November 9, 2016, published in the U.P. Gazette, Extraordinary, Part 4, Section (Ka), dated 9th November, 2016, pp. 1-4 Where the State Government is satisfied that certain part of Uttar Pradesh is infected by and threatened with an outbreak of Malaria, Dengue, Kala-azar or any Vector Borne Disease. And Whereas, the Government of Uttar Pradesh is of the opinion that the ordinary provisions of law for the time being in force in the State are insufficient to prevent the outbreak and spread of the said diseases. Now, therefore, in exercise of the powers under Section 2 of the Epidemic Disease Act, 1897 (Act No. 3 of 1897) and in view of Letter No. DO 14-4/2016-17/NVBDCP/MTD/Malaria Elimination/PT, file dated 7-6-2016 and DO No. 7-165/2016/NVBDCP/Den, dated 9-6-2016 of the Government of India and all other powers enabling it in this behalf, the Governor is pleased to make the following regulations namely-

1. Short title and commencement.

(1) These regulations may be called the Uttar Pradesh Prevention and Control of Malaria, Dengue, Kala-azar and any Vector Borne Disease Regulations, 2016. (2) They shall come into force with effect from the date of their publication in the Gazette.

2. Definitions.

- In these regulations unless the context otherwise requires, -(a)"Infected Area" means any area of Uttar Pradesh infected with Malaria, Dengue, Kala-azar or any Vector Borne Disease.(b)"Controlling Officer" means an officer appointed under these regulations.(c)"Threatened Area" means any area, which is declared by the State Government under Regulation 3 as Threatened Area.

3. Notification of area as infected or threatened.

- The State Government on the recommendation of the Director General Medical Health, Uttar Pradesh may by notification in the Gazette declare -(a)any area in the Uttar Pradesh to be an infected area or threatened area.(b)any area contiguous to any infected area in which, in his opinion, there is danger of outbreak of Malaria, Dengue, Kala-azar or any vector borne disease.

4. Appointment of Controlling Officer.

- The State Government may appoint a Controlling Officer for any infected or threatened area to carry out all or any of the measures prescribed under these regulations.

5. Publication of List of infected city, town and villages and intimation of outbreak of Malaria, Dengue, Kala-azar or any vector borne disease.

- When on the recommendation of the Director General, Medical Health, declared under Regulation 3 any area as the infected area, the Principal Secretary, Medical and Health shall cause the details of such area to be published in the Gazette. He shall also specify therein the information regarding appointment of Controlling Officer and the passive surveillance centers established and other surveillance staff, for the treatment of malaria/Epidemiological and Entomological investigation for Malaria, Dengue, Kala-azar or any vector borne disease.

6. Notification of persons suffering from Malaria, Dengue, Kala-azar or any vector borne disease.

- When Malaria, Dengue, Kala-azar or any vector borne disease break out at any place, the District Magistrate, Chief Medical Officer shall cause the name and addresses of persons suffering from Malaria, Dengue, Kala-azar, or any vector borne disease to be notified to the Chief Medical Officer or Nodal Officer, Vector Borne Disease.

7. Powers of Controlling Officer.

- In any urban or rural area which is situated in any infected area or a threatened area, the Controlling officers may -(a)require every owner or occupier of a building and every Medical practitioner to report every case of Malaria, Dengue, Kala-azar or any vector borne disease. Which may come to the notice of such owner, occupier or practitioner, to the officer in charge of the nearest

passive surveillance centre established by the Medical and Health Department;(b)arrange for the examination of blood of any person suspected to be suffering from Malaria, Dengue or Kala-azar or any vector borne disease and for his treatment and also refer the suspected case of Malaria, Dengue, Kala-azar or any vector borne disease to any of the referral institute, Government Medical College, District Hospital or Higher Institutions as the case may be;(c)carry out or cause to be carried out intensive prevention operations within the area in which a case of Malaria, Dengue, Kala-azar or vector borne disease by the Chief Medical Officer/Nodal Officer Vector Borne Disease or the District Malaria Officer;(d)ensure give preventive insecticidal indoor spraying in any type of premises including animal dwelling, streets, shops or any other type of roofed structures in hamlets, villages, labor colonies, slums and low lying areas etc.:(e)carry on mass blood survey and mass drug treatment to the inhabitants, temporary labor and casual visitors in the affected area, as the situation may demand;(f)give such directions to the contractor or employer at the sites of projects like irrigation, roads, buildings, etc. with a view to preventing and controlling of the outbreak of Malaria, Dengue, Kala-azar, or any vector borne disease at such sites.

8.

(1)No person shall -(a)keep or maintain any collection of standing or flowing water in which mosquitoes breed or are likely to breed; or(b)cause, permit or suffer any water within such area to form a collection in which mosquitoes breed or are likely to breed, unless such collection has been effectively protected to prevent such breeding;(c)occupy a new building (private, Government or Semi-Government) unless an occupation certificate is obtained from the controlling officer, regarding the requirements of anti mosquito system in such premises.(2)The natural presence of mosquito larvae, pupae in any standing or flowing water shall be evidence that mosquitoes are breeding in such water in premises, institutions and office or dwelling units.

9.

(1)The Inspecting Officer may, by notice in writing, require the owner or the occupier of any place, containing any collection of standing or flowing water in which mosquitoes breed or are likely to breed, within such time as may be specified in notice, not being less than 24 hours, to take such measure with respect to the same by physical, chemical, biological and other methods, as the inspecting officer may consider suitable in the circumstances for the prevention and control of Malaria, Dengue, Kala-azar, or any vector borne disease.(2)If the person on whom a notice is served under sub-regulation (1) fails or refuses to take measures, or adopt the method of treatment, specified in such notice within the time mentioned therein, the Inspecting Officer may himself take such measures or adopt the method of such treatment and recover the cost along with service charges for doing so, from the owner or occupier of the property, as the case may be.

10.

Where with the object of preventing the breeding of mosquitoes in any land or building, the owner or the occupier at his instance has constituted any works in such land or building, the owner or the occupier for the time being of such land or building shall prevent it being used in any manner which

may cause or is likely to cause, the deterioration of such works, or which impairs or is likely to impair their efficiency.

11.

(1) No person shall, without the consent of the Inspecting Officer interfere with, injure, destroy or, render useless, any work executed or any material of thing placed in, under or upon any land or building by or under the orders of the Inspecting Officer, with the object of preventing the breeding of mosquitoes therein. (2) If any person contravenes the provisions of sub-regulation (1) the Inspecting Officer may re-execute the work or replace the materials or things, as the case may be, and the cost along with service charges for doing so, shall be recovered from such person.

12.

The owner or the occupier of any house, building or shed or land shall not keep therein any bottle, vessel, cane, auto-tyre or any other container broken or unbroken in such a manner that it is likely to, collect and retain water which may breed mosquitoes.

13.

All burrow pits required to be dug in the course of construction and repair of roads, railways, telecommunication, embankments etc., shall be filled so as to ensure that the water does not stagnate therein, where possible and practicable, the burrow pits shall be left clean and drainage shall be ensured.

14.

In case of any dispute or difference of opinion in the execution of any anti mosquito scheme or in its operation of any work under these regulations in which the jurisdiction of the Government of India, or Government of any other State is involved, the matter shall be referred to the Government of India for final decision in the matter.

15.

For the purpose of enforcing the provisions of these regulations, the Inspecting Officer or any of his subordinates not below the rank of Health or Sanitary Inspector or Malaria Inspector or Surveillance Inspector, Health works and Insect Collectors, may at all reasonable times after giving such notice in writing as may appear to him reasonable, enquire and inspect any land or building within his jurisdiction and the occupier or the owner as the case may be of such land or building shall give all facilities necessary for such entry and inspection, and supply all such information as may be required by him for the purpose aforesaid.

16. Obstruction to performance of duty prohibited.

- Every person shall duly comply with an order or requisition issued under these regulations and no person shall obstruct the performance of any of the duties imposed upon anyone by these regulations.

17. Constitution of Mobile Court.

- In case of epidemic or situation leading to epidemic of Malaria, Dengue, Kala-azar or any vector borne disease the Government, authorize the Controlling Officer for constituting a Mobile court for certain period so as to impose fine or penalty to the owners, occupiers of premises creating conditions conducive for transmission or spread of Malaria, Dengue, Kala-azar or any vector borne disease inside the houses/offices, markets, shopping complex, institutions or any other place located within the jurisdiction of their control.

18. Involvement of Private Practitioner, clinicians and Nursing Homes.

- All private practitioners, clinicians/doctors in charge of nursing homes, medical institutions, clinical laboratories etc. within the State of Uttar Pradesh shall furnish information pertaining to blood slide collection and positive cases, information regarding the suspected/confirmed cases of Malaria, Dengue, Kala-azar or any vector borne disease to the Controlling Officer Chief Medical Officer, District Malaria Officer or Doctor in charge of the said clinics, nursing homes, medical institutions, clinical laboratories etc. and shall send examined blood slide as and when required by the Controlling Officer for the purpose of cross checking.

19. Screening of migrant labourers at the construction side.

- Contractors of any construction site (Government or private agency) shall be responsible for getting all the migrant labourers screened for Dengue, Kala-azar or any Vector Borne Disease at the nearest malaria clinics or through mobile squads, surveillance teams deployed under the Medical Department Programme. No labourer shall be engaged by the contractors at the construction sites unless he/she has been screened for the said diseases.

20. Penalty.

- Whosoever contravenes any of the provision of these regulations, disobeys any order or requisition issued thereunder or obstructs any measures which are required to be taken by the State Government for which the Controlling Officer has been required or empowered to take under these regulations shall be deemed to have committed an offence under Section 188 IPC, rendering himself liable to be punished accordingly.