

The M.P. Gram Panchayat (Regulating Places for Disposal of Dead Bodies, Carcasses and other Offensive Matter) Rules, 1998

MADHYA PRADESH

India

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Rule

THE-M-P-GRAM-PANCHAYAT-REGULATING-PLACES-FOR-DISPOSAL of 1998

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The M.P. Gram Panchayat (Regulating Places for Disposal of Dead Bodies, Carcasses and other Offensive Matter) Rules, 1998 Published vide Notification No. F-1-19-98-22-P-2, M.P Rajpatra (Asadharan) dated 5-3-1999 at page 238 (2-4) In exercise of the powers conferred by the sub-section (1) of Section 95 read with Clause (12) of Section 49 of the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994), the State Government hereby makes the following rules, the same having been previously published as required by sub-section (3) of Section 95 of the said Act, namely :-

1. Short title and commencement.

- These rules may called the Madhya Pradesh Gram Panchayat (Regulating Places for Disposal of Dead Bodies, Carcasses and Other Offensive Matter) Rules, 1998.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Madhya Pradesh Panchayat Raj Adhiniyam, 1993 (No. 1 of 1994);(b)"Animal" means elephant, camel, buffalo, ox, cow, horse, pony, mule, ass, calf, deer, sheep, pig, goat, cat or dog both male and female including kids;(c)"Licensee" means a person who has been granted a license for the purposes of these rules;(d)"Co-operative Society" means a society, registered under the Madhya Pradesh Co-operative

Societies Act, 1960 (No. 17 of 1961);(e)"Sarpanch" means Sarpanch of the Gram Panchayat;(f)"Secretary" means Secretary of the Gram Panchayat.

Part I – 3. Disposal of corpse within 24 hours.

(1)When a person has died in any place within the Gram Panchayat area, the occupier or owner of such place shall, to the best of his ability, arrange through the deceased person's relatives or otherwise for the corpse to be buried, burnt or otherwise disposed of in accordance with the custom of the deceased person's religion within twenty-four hours of death; or if he is unable to make such arrangement, shall within twenty-four hours of death, report the fact to the Sarpanch or to the Secretary of the Gram Panchayat or to such person as the Gram Panchayat may appoint in this behalf.(2)Every person who becomes aware that a corpse is lying in any place uncared for, shall forthwith report that fact to the Sarpanch or to such person as the Gram Panchayat may appoint in this behalf and also to the occupier or owner of that place.(3)Nothing in this rule shall apply to a case where the body of the deceased is required for the purpose of a judicial or police enquiry.

4. Gram Panchayat to arrange for disposal of corpse.

(1)On receipt of a report under sub rule (2) of Rule 3, the Gram Panchayat shall arrange for the disposal of the corpse.(2)The expenses incurred for such disposal shall be recovered from the heirs of the deceased, if any, as arrears of tax levied under the Act.(3)If there be no such heirs the expenses shall be borne by the Gram Panchayat.

5. Place for disposal of corpses.

- No place other than a place approved by the Gram Panchayat by an order in writing duly published in the village, which shall be known as burning ghat or burial ground or a place determined by the Government or in the Government records shall be used for the disposal of a corpse by burning, burying or otherwise.

6. Disposal of the corpse.

- Every corpse brought to the burning ghat or burial ground shall be disposed of within six hours after it is brought to the burning ghat or burial ground.

7. Method of burial.

- In the case of disposal of a corpse by burial, the corpse of children below two years shall be buried at a depth not less than one metre and those of others at the depth not less than 1.22 metres below the level of the surface of the ground.

8. Digging of grave.

- Grave not to be dug within a distance of one metre from any grave or outside the place marked by the Gram Panchayat for this purpose.

9. Masonary work.

- No masonary work shall be constructed on the burial ground or at the burning ghat except with the written permission of the Gram Panchayat.

Part II – 10. Preparation of list of persons having customary right of removal and disposal of carcasses and issue of licenses.

(1)The Gram Panchayat shall prepare a list of persons having customary right of removal and disposal of carcasses of animals after receiving applications by any of such person who is willing to remove the carcasses and shall issue a license to him.(2)If such persons may not like to do this work, the Gram Panchayat, after getting in writing their unwillingness shall auction its contract for which other things remaining the same, Co-operative Societies shall be given reference.

11. Supplying information about death of animal and non-removal of carcasses.

- Whenever any animal dies within the limits of the Gram Panchayat, the owner or the person in-charge of the animal and in the absence of the owner such person, the occupier of the premises in which the death occurs shall give immediately, the information of such death and that of non-removal of the carcass either orally or in writing to the Sarpanch or the Secretary of the Gram Panchayat or such person as the Gram Panchayat may appoint in this behalf. Such information shall contain :(a)the name or details of the street in which the death has occurred; and(b)the number or details of the house or premises in which the carcass lies.

12. Failure on the part of licensee to remove carcass.

- On receipt of information, under Rule 11, of the death of animal and that of non-removal of the carcass, the Sarpanch or the Secretary of the Gram Panchayat or such person as the Gram Panchayat may appoint in this behalf, shall, in such manner as he may deem fit, cause it to be removed and disposed of and during or after such removal and disposal, any licensee or contractor shall have no claim on such carcass.

13. Fee payable by the owner of carcass.

- The owner of the carcass shall pay to the Gram Panchayat such fees as prescribed by the Gram Panchayat not exceeding than specified in the Schedule below, for the removal and disposal of the carcass.

Schedule

Name of Animal Amount of Fee

1.	Elephant, Camel	Rs. 50.00
2.	Buffalo, Ox, Cow, Horse, Pony, Ass, Mule	Rs. 25.00
3.	Calf, Sheep, Goat, Deer, Pig	Rs. 15.00
4.	Cat, Dog, Hare.	Rs. 10.00

14. Disposal of carcass by owner.

- Nothing contained in this part of these rules shall apply to the disposal of the carcass of any dog or cat or any other animal kept as a pet if the owner thereof has within four hours of its death informed the Sarpanch or the Secretary of the Gram Panchayat or such persons as the Gram Panchayat may appoint in this behalf that he desires to dispose of the carcass himself.

Part III – 15. Deposit of offensive matter.

- No person shall deposit any kind of offensive matter in any place other than the place or places reserved by the Gram Panchayat for the purpose.

16. Setting apart places for preparation of manure.

(1)The Gram Panchayat shall set apart places for deposit of offensive matters for the purpose of preparation of manure.(2)No person shall deposit or store or throw or cause to be thrown an offensive matter in a public place except in a place set apart for the purpose.

Part IV – 17. Penalty.

- A breach of any of the above rules shall be punishable with fine which may extend to two hundred fifty rupees and if the breach is continued with a further fine which may extend to five rupees for every day during which the breach continues after the first conviction.

18. Repeal and Saving.

- All rules or bye-laws corresponding to these rules in force immediately before the commencement of these rules are hereby repealed in respect of matters covered by these rules :Provided that any

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order made or action taken under the rules or bye-laws so repealed shall be deemed to have been
made or taken under the corresponding provisions of these rules.