

The Delhi Municipal Corporation (Malaria And Other Mosquito Borne Diseases) Bye-Laws, 1975

DELHI

India

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Rule

THE-DELHI-MUNICIPAL-CORPORATION-MALARIA-AND-OTHER-MOSQUITO BORNE DISEASES) BYE-LAWS, 1975

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The Delhi Municipal Corporation (Malaria And Other Mosquito Borne Diseases) Bye-Laws, 1975 Published vide Notification No. F.2/46/75-L.S.G., published in the Delhi Gazette.

1. Short title, extent and commencement.

(1) These bye-laws may be called the Delhi Municipal Corporation (Malaria and other Mosquito Borne Diseases) Bye-laws, 1975. (2) They shall extend to the entire area under the jurisdiction of the Municipal Corporation of Delhi. (3) They shall come into force on and from the date of their publication in the official Gazette.

2. Definitions.

-In these Bye-laws: (1) "Act" means the Delhi Municipal Corporation Act, 1957 (66, of 1957). (2) "Commissioner" means the Commissioner, Municipal Corporation of Delhi, and includes any other officer or officers to whom powers have been delegated by him under Section 491 of the Act. (3) "section" means section of the Act. (4) "premises" means the premises, as defined in sub-section (38) of section 2 of the Act.

3. Duty of persons in occupation of premises.

(1) No person shall keep or maintain upon or within the premises in his occupation any collection of standing or flowing water in which mosquitoes breed, or are likely to breed, or cause, permit or

suffer any water within or upon such premises to term such collection in which mosquitoes breed or are likely to breed unless the collection of water has been so treated effectively, to prevent such breeding.(2)The natural presence of mosquito larvae, in any standing or flowing water, shall be an evidence that mosquitoes are breeding in such water.

4. Treatment of mosquito breeding place.

(1)The Commissioner may, by notice in writing, require the owner or the occupier of any premises, containing any collection of standing or following water in which mosquitoes breed or,are likely to breed, within such time as may be specified in the notice, not being less than 24 hours, to take such measures with respect to the same, or to treat the same by such physical, chemical or biological method, being measures or a method, as the Commissioner may consider suitable in the circumstances.(2)If a notice under clause (1) is served on the owner/occupier and if the owner/occupier fails to comply with the same within the stipulated period, the Commissioner shall do the needful at the cost of the owner/occupier and shall be entitled to recover from the owner/occupier the expenses incurred by him in taking such measures of adopting such method or treatment, and may, recover such expenses in pursuance of section 122(1) of the Delhi Municipal Corporation Act. 1957.

5. Power of Commissioner in case of default.

-If the person on whom a notice is served under Bye-law 4 fails or refuses to take the measures, or adopt such treatment, specified in the notice and recover the cost of doing so from the owner or occupier of the property, as the case may be, in the same manner as if it were a property tax.

6. Protection of Anti-Mosquito Works.

-Where, with the object of preventing breeding of mosquitoes in any premises, the Commissioner, or the owner or occupier, at the instance of the Commissioner (have constituted any works) on such land or in building, the owner or the occupier for the time being of such premises shall prevent its being used in any manner which causes or is likely to cause, the deterioration of such works, or which impairs or is likely to impair, their efficiency.

7. Prohibition of interference with such works.

(1)No person shall without the consent of the Commissioner interfere with, injure, destroy, or render useless, any work, material or thing placed in any premises by or under orders of the Commissioner with the object of preventing the breeding of mosquitoes.(2)If the provisions of sub-clause (1) are contravened by any person, the Commissioner may re-execute the work of replacing the material or thing and recover the cost of doing so from such person in the same manner as if it were a property tax.

8. Provision in respect of house-hold and other containers.

-The owner or occupier of any premises shall not keep therein any bottle, vessel, can, container or receptacle in such a manner so as to allow it to collect and/or retain water which may breed mosquitoes.

9. Measures to be taken in construction and repair of roads, embankments etc.

-All borrow-pit dug in the course of construction and repairs of buildings, roads, embankments, etc., shall be deep and connected with each other in the formation of a drain directed towards the lowest level and properly stopped for discharge into a river, stream, channel or drain and no person shall create any isolated borrow-pit which is likely to cause accumulation of water which may breed mosquitoes.

10. Power of Commissioner to enter and inspect the premises.

(1)For the purpose of enforcing the provisions, the Commissioner or any municipal officer or other municipal employee, authorised, in this behalf, by the said municipal authority, may between the hours of sun rise and sun set as provided under Section 434 of the Delhi Municipal Corporation Act, 1957, after giving such notice in writing or verbally as may appear to him reasonable, enter and inspect any premises within his jurisdiction and the occupier or the owner, as the case may be, of such premises 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.(2)It shall be lawful for the Commissioner or any other municipal officer or municipal employee authorised in this behalf by the municipal authority to make any entry into any place and to open or cause to open any door, gate or other barrier, subject to the provisions provided in sub-section (2) of section 433 of the Delhi Municipal Corporation Act, 1957(i)if he considers the opening thereof necessary for the purpose of such entry; and(ii)if the owner or occupier is absent or being present refuses to open such door, gate or barrier.

11. Penalty.

-Whosoever contravenes any provision of bye-laws 3, 6, 7, 8 and 9 shall be punishable with fine, which may extend to 500 rupees.