

# Haryana Municipal (Sanitation and Public Health) Bye-laws, 1976

HARYANA

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### Rule

### HARYANA-MUNICIPAL-SANITATION-AND-PUBLIC-HEALTH-BYE-LAW of 1976

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Haryana Municipal (Sanitation and Public Health) Bye-laws, 1976Published vide Haryana Government Notification No. GSR 70/..../76, dated 2.4.1976

### 1. Short title and extent.

(1)These bye-laws may be called the Haryana Municipal (Sanitation and Public Health) Bye-laws, 1976.(2)They shall apply to all the municipalities.

### 2. Definitions.

- In these bye-laws, -(a)"Act" means the Haryana Municipal Act, 1973;(b)"dangerous disease" means the infectious disease as defined in clause (13) of section 2 of the Act;(c)"Executive Officer" means the Executive Officer of a Committee;(d)"Municipal Medical Officer Health" means an officer appointed as such by a Committee;(e)"Secretary" means the Secretary of a Committee;(f)"Section" means a section of the Act.

### 3. Duty of owner to lime-wash etc. of premises.

(1)It shall be the duty of the owner of a building to have the building lime-washed or colour-washed at least once in two years and the woodwork and non-lime washable portion of the building to be oil-painted at least, once in four years.(2)If it shall appears to the Executive Officer or Secretary, as the case may be, for sanitary reasons or as a measure of disinfection, so to do, he may at any time by written notice, require the owner or occupier of any building which is inspected to cause the same or

some portion thereof to be lime-washed or otherwise cleansed and the woodwork and the non-lime washable portion of the premises oil-painted either externally or internally or both externally and internally to the satisfaction of the Executive Officer or Secretary, as the case may be.

#### 4.

[\*\*\*\*] [Omitted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010. the deleted bye-law read as '4. Providing living accommodation for sweepers on premises in certain cases. - (1) It shall not be lawful to erect a building in which ten or more latrines are required to be constructed without providing in the building suitable living accommodation for sweepers intended to be employed whole time for cleansing such latrines. The Executive Officer or Secretary, as the case may be shall determine the number and size of rooms to be provided for sweeper and upon completion of the building may determine the number of weepers to be employed for each building and may require such number of weepers to be employed.(2) This bye-law shall not apply to tenements designed for, and intended to be let out, on flat system and containing latrines with flush system'.]

#### 5.

[\*\*\*] [Omitted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010. the deleted bye-law read as '5. Executive Officer or Secretary may require living accommodation for sweeper in a building with ten or more latrines. - Where any existing building such as hotel, club, hostel, educational institution or hospital, has ten or more latrines, the Executive Officer or Secretary, as the case may be, may require the construction on the premises of suitable living accommodation for sweepers intended to be employed whole-time in cleansing such latrines. The Executive Officer or Secretary as the case may be, may determine the number and size of rooms to be provided for such sweepers and upon completion of the new construction may determine the number of sweepers to be employed for such building and may require such number of sweepers to be employed.]

### **6. Any place may be inspected at any time for purpose of preventing spread of dangerous disease.**

- The Executive Officer or Secretary or any other officer authorised by a committee, may, at any time by day or by night, after giving such notice of his intention as shall in the circumstances appear to him to be reasonable inspect any place in which any dangerous disease is [reported] [Substitued by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'reputed'.] or suspected to exist, to ascertain and determine what measures should be taken to prevent the spread of the said disease beyond such place.

## **7. Child liable to carry dangerous disease may be ordered not to attend school.**

- A person having the care of a child who is, or who has been suffering from or has been exposed to infection of [an infectious or dangerous] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'a dangerous'.] disease, shall not after receiving a notice from the Municipal Medical Officer of Health that the child is not to be sent to school, permit the child to attend school, until he has obtained from the Medical Officer of Health a certificate for which no charge shall be made, that in his opinion the child may attend school without undue risk of communicating the disease to others.

## **8. Provisions as to library books.**

(1)A person who knows that he is suffering from [an infectious or dangerous] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'a dangerous'.] disease shall not take any book or cause any book to be taken for his use or use any book taken from any public or circulating library.(2)A person shall not permit any book which has been taken from a public or circulating library and is under his control to be used by any person whom he knows to be suffering from [an infectious or dangerous] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'a dangerous'.] disease.(3)If a book taken from a public or circulating library is to the knowledge of the person, who has so taken it exposed to infection from [an infectious or dangerous] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'a dangerous'.] disease, he shall not return the book to the library without giving notice to the person in charge thereof, that it has been so exposed to infection.(4)On receiving a notice under clause (3), the person in charge of the library shall cause the book to be disinfected and returned to the library or shall cause it to be destroyed.

## **9. Avoidance of contact with body of person who suffered from dangerous disease.**

- Every person having the charge or control of any place where the body of a person, who has died while suffering from [an infectious or dangerous] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'a dangerous'.] disease is lying, shall take such steps as may be reasonably practicable to prevent persons coming unnecessarily into contact with proximity to the body.

## **10. Special measures.**

(1)The special measures to be taken and directions to be given by a Committee or Executive Officer under any of the provisions contained in sections 218 to 225 may include any of the following matters, namely :-(a)the evacuation of any infected building used as a dwelling or of any part thereof by the person or persons residing whether habitually or temporarily thereon, provided sufficient

accommodation for all persons affected is available, or is provided elsewhere;(b)compulsory vaccination, or preventive inoculation of persons, entering, residing in, or leaving specified areas;(c)the examination by a medical officer of health, of persons, and, if necessary, the disinfection of the clothing, bedding or other articles suspected of being infected belonging to persons either arriving from outside a specified area or residing in any building adjacent to any infected building in that area, the recording of the address of such persons, and the daily presentation of such persons for medical examination at a specified, time and place, for a period not exceeding ten days;(d)the prohibition either generally or by special order in any individual case, or assemblages consisting of any number of persons exceeding fifty, in any place, whether public or private, or in any circumstances, or for any purpose;(e)the closure for a period to be specified of any theatre, cinemahouse or other place of entertainment;(f)the closure of an educational institution, by a written notice to the authorities in charge of such institution, for such period as is specified in the notice;(g)restrictions on the export from, or import into, or transport within, a specified area of any goods or articles exposed to, and likely to retain infection from a dangerous disease, or likely to infect persons with any such disease or the destruction of any such goods or the articles;(h)the examination, unloading and disinfection, if necessary, at any place within the municipal area of any consignment of grain or other foodstuffs, cotton or clothing imported into the municipal area by road or rail;(i)Closure of all or any existing markets and bazars including cattle farms and appointment of special places where markets or bazars may be held.(2)The Committee or Executive Officer may in his direction give compensation to any person who sustains substantial loss by the destruction of any property under this bye-law but, except as allowed by the Committee or Executive Officer, as the case may be, no claim for compensation shall lie for any loss or damage caused by the exercise of the powers specified herein.

## **11. Disposal of dead bodies in certain cases.**

(1)No person shall without the written sanction of the Municipal Medical Officer of Health, retain in any place other than a public mortuary, for more than twelve hours, the body of any person who was died while suffering from a dangerous disease.(2)If any such body, not being a body kept in a public mortuary, remains undisposed of for more than twelve hours without sanction as aforesaid or if the dead body of any person is retained in any building so as to endanger the health of the inmates thereof or of an adjoining or neighbouring building, a magistrate may, on the application of the Executive Officer or Secretary order the body to be removed and disposed of within a specified time, and on such order being made unless the relatives or friends of the deceased person undertake to dispose, or do cause the body to be disposed of, within the time specified in the order, the Executive Officer or Secretary shall cause the body to be disposed of.(3)Any expenses reasonably incurred by the Executive Officer or Secretary in so doing shall be paid by any person legally liable to pay the expenses of the disposal of the body unless the Executive Officer or Secretary waives recovery on the grounds of poverty.

## **12. Registration of burial places, etc.**

- Every owner or person having control of a place used for burying, burning or otherwise disposing of the dead shall cause the same to be registered in a register which shall be kept by an officer of a

committee as authorised by the Executive Officer or Secretary with this duty, and shall deposit in the municipal office at the time of registration a plan of the said place, showing the extent and boundaries, thereof, bearing the signatures of a licensed architect or engineer in token of its having been prepared by or under the supervision of such architect or engineer.

### **13. Provisions of new places for disposal of the dead.**

- If the existing places for the disposal of dead bodies shall at any time appear to be insufficient, or if any such place is closed under section 116, the Executive Officer or Secretary shall with the sanction of the committee, provide other fit and convenient places for the said purposes and shall cause the same to be registered in the register kept under bye-law 12 and shall deposit in the municipal officer, at the time of registration of each place so provided, a plan thereof, showing the extent and boundaries of the same and bearing the signatures of the municipal engineer.

### **14. Executive Officer or Secretary may sanction reopening of places which have been closed for disposal of death bodies.**

- If after personal inspection, the Executive Officer or Secretary is at any time of the opinion that any place formerly used for the disposal of the dead bodies which has been closed under section 116 or under any other law or authority, is by lapse of time or otherwise no longer dangerous to health and may without risk of danger be again used for the said purpose, he may make a report in that behalf to the committee which may direct that such place be reopened for the disposal of the dead. Every order so made shall be noted in the register kept under bye-law 12 [and a notice in this regard shall be displayed on a conspicuous part of the building of the committee] [Words added by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010.].

### **15. Acts prohibited in connection with disposal of dead bodies.**

- No person shall-(a)retain a corpse on any premises, without burning, burying or otherwise lawfully disposing of the same, for so long a time after death as to create a nuisance;(b)carrying a corpse or part of a corpse along any street without having and keeping the same decently covered or without taking such precautions to prevent risk of infection or injury to the public health as the Executive Officer or Secretary may by public notice, from time to time, think fit to require;(c)except, when no other route is available, carry a corpe or part of a corpse along any street along which the carrying of corpses is prohibited by a public notice issued by the Executive Officer or Secretary in this behalf;(d)remove a corpse or part of a corpse, which has been kept or used for purposes of dissection otherwise than in a closed receptacle, or vehicle;(e)whilst conveying a corpse or part of a corpse, place or leave the same on or near any street without urgent necessity.

### **16. Disposal of dead bodies.**

(1)No person shall bury or cause to be buried, the [dead body] [Substitued by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'dead'.]

of any person or, being the owner or person incharge of a burial ground shall permit a [dead body] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'dead'.] to be buried in a burial ground otherwise than in accordance with the following conditions :-(a)the [dead body] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'dead'.] shall be interred within six hours after its arrival at the burial ground which may be extended to eight hours in special cases where delay is due to rockiness of the ground;(b)the [dead body] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'dead'.] shall not be buried in any grave in which another [dead body] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'dead'.] has been interred during such previous period as may be determined by the Executive Officer or Secretary;(c)the grave shall not be less than six feet deep if not constructed of masonry or four feet deep if constructed of masonry and the [dead body] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'dead'.] shall be buried not less than two feet from any other [dead body] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'dead'.] interred during the last ten years.(2)No person shall without the sanction of the Executive Officer or Secretary exhume a dead body or re-open or re-open a grave.(3)No person shall burn the dead body of any person or cause a dead body to be burnt or, being the owner or person incharge of a burning place, permit a dead body to be burnt otherwise than in accordance with the following conditions, namely :-(a)the [dead body] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'dead'.] shall be burnt within six hours after its arrival at the burning place;(b)no part of the [dead body] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'dead'.] shall remain unconsumed unless in any case the rules or custom of religion demand that the whole or a portion of corpse shall be thrown into the river;(c)no part of the [dead body] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'dead'.] except the "as this" shall be removed from the burning place until it is completely reduced to ashes.(4)No person shall remove wood, coal or other fuel that has been employed in the pyre from the burning ground and the owner or person incharge of the ground shall see that all such wood, coal or other fuel is reduced to ashes.(5)Nothing in this bye-law shall apply to the Christian cemeteries regulated under order of the Central Government.

## **17. Provision for garbage cans.**

- All house-holders/tenants of commercial, residential and other buildings shall place garbage cans outside their premises from which garbage may be collected by municipal health authority.

## **18. Penalty.**

- Any person who commits, or abets the commission of, a breach of any of these bye-laws shall, on conviction by a magistrate, be punishable with a fine which shall not be less than [two hundred fifty rupees] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010,

dated 19th March, 2010 for the word twenty-five rupees'.], and more than [two thousand rupees] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'two hundred rupees'.]; and if the breach is continuing breach, with a further fine of [one hundred rupees] [Substituted by Haryana Notification No. S.O.48/H.A./24/1973/Sections 200 and 214/2010, dated 19th March, 2010 for the word 'ten rupees'.] for every day after the first during which the breach continues.

## **19. Repeal.**

- All bye-laws relating to Sanitation and Public Health in force in the municipalities immediately before the commencement of these bye-laws shall stand repealed :Provided that any order made or action taken under the bye-laws so repealed shall be deemed to have been made or taken under the corresponding provisions of these bye-laws.