

Haryana Municipal Control on Malaria Bye-laws, 1991

HARYANA

India

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Rule

HARYANA-MUNICIPAL-CONTROL-ON-MALARIA-BYE-LAWS-1991 of 1991

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1. Short title and extent.

(1)These bye-laws may be called the Haryana Municipal Control on Malaria Bye-laws, 1991.(2)They shall apply to all the municipalities in the State of Haryana.

2. Definitions.

- In these bye-laws unless the context otherwise requires,-(a)"Chief Sanitary Inspector" means the Chief Sanitary Inspector of he Committee;(b)"Executive Officer" means the Executive Officer of the committee;(c)"Medical Office" means the Medical Officer of the Committee;(d)"Premises" shall include messuages, casements and hereditaments; and(e)"Sanitary Inspector" means the Sanitary Inspector of the committee;(f)Words and expressions used in these bye-laws but not defined herein shall have the same meanings assigned to them in the Haryana Municipal Act, 1973.

3. Prevention of mosquito breeding.

(1)No person or local authority shall -(a)Keep or maintain within such area any water whether standing or flowing mosquitoes breed or are likely to breed; or(b)Cause or permit within such area to form a collection of water in which mosquito breed or are likely to breed unless such collection has been so treated as effectively to prevent such breeding.(2)The natural presence of mosquito larva in any standing or flowing water shall be sufficient proof that the mosquitoes are breeding in such water.

4. Notice to owner or occupier to prevent mosquito breeding.

- The Medical Officer, Chief Sanitary Inspector or Sanitary Inspector, as the case may be, may by notice in writing, require the owner or the occupier of any place containing any standing or flowing water in which mosquitoes breed or are likely to breed, within such time as may be specified in the notice (not being less than twenty four hours) to take such measures or to treat with such physical, chemical or biological methods, as the Medical Officer, Chief Sanitary Inspector, or Sanitary Inspector, as the case may be may consider suitable.

5. Duties of Medical Officer, Chief Sanitary Inspector and Sanitary Inspector in case of default.

- If the owner or occupier to whom a notice is served under bye-law 4 fails or refuses to take the measures or adopt the method of treatment specified in such notice within the time specified therein, the Medical Officer, Chief Sanitary Inspector or Sanitary Inspector, as the case may be, may himself take such measures or adopt the method of treatment within the time specified therein and recover the cost of doing so from the owner or occupier of any such place, as the case may be, in the same manner as specified in Section 98 of the Haryana Municipal Act, 1973.

6. Protection of anti-mosquitoes works.

- Where with the object of preventing the breeding of mosquitoes in any land or building, the Government or any local authorities or occupier at the instance of the Government or local authority have constituted any works in such land or building, the owner as well as the occupier of such land or building 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 the efficiency of such works.

7. Prohibition of interference with such works.

(1) No person shall, without the consent of the Medical Officer, Chief Sanitary Inspector or Sanitary Inspector, as the case may be, interfere with, insure, destroy or render useless any work executed or any material or thing placed in, under or upon any land or building, by the orders of the Medical Officer, Chief Sanitary Inspector or Sanitary Inspector, as the case may be, with the object of preventing the breeding of mosquitoes therein. (2) If the provisions of sub-bye-law (1) are contravened by any person, the Medical Officer, Chief Sanitary Inspector or Sanitary Inspector, as the case may be, may re-execute the work or replace the material or things; as the case may be, and the cost of doing so shall be recovered from such person in the same manner as is provided in section 98 of the Haryana Municipal Act, 1973.

8. Keeping of household canes and other containers.

- The owner or occupier of any house, building, shed or land shall not keep any bottle, vessel, canes or any other container broken or unbroken, in such manner that is likely to collect and retain water

causing the breeding of mosquitoes.

9. Cleanliness of borrow pits.

- All borrow pits required to be dug in the course of construction and repair of roads, railways, embankments etc. shall be so cut as to ensure that water does not remain stagnant therein. Where possible and practicable the borrow pits shall be left clean, free and that water will be drawn off by drainage channels connecting one pit with the other till the nearest natural drainage nullah is met with. No person shall create any isolated borrow pits which is likely to cause accumulation of water causing the breeding of mosquitoes.

10. Power of Medical Officer, Chief Sanitary Inspector and Sanitary Inspector to enter and inspect premises.

- The Medical Officer, Chief Sanitary Inspector or Sanitary Inspector as the case may be, may at all reasonable times, after giving such notice in writing as may appear to him reasonable, enter 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 provide all facilities necessary for such entry and inspection and supply all such information as may be required by him.

11. Penalty.

- Any person who commits a breach or abets the commission of breach of any of these bye-laws shall, on conviction by a Magistrate, be punishable with a fine which shall not be less than twenty-five rupees and more than two hundred rupees and when the breach is a continuing breach, with a further fine of ten rupees for every day after the first during which the breach continues.

12. Settlement of disputes.

- In case of any dispute in the execution of any provision of these bye laws arises in which the jurisdictions of the Government of India or Government of any other State is involved the matter shall be referred to the sole arbitrator appointed with the mutual consent whose decision shall be final.