

(b) any cistern or other receptacle for water or any article or thing capable or collecting rain water during the monsoon season, whether within or outside a building;

(c) any land on which water accumulates or is likely to accumulate; or

(d) any premises or any part of any premises occupied, or unoccupied, or under construction, reconstruction or demolition, which in the opinion of the Commissioner is, or is likely to become, a breeding place of mosquitoes or which is, in any other respect, a nuisance as defined in clause (40) or section 2.

(2) The Commissioner may, by notice in writing, require the person by whose act, default or sufferance a nuisance arises, exists or continues, or is likely to arise, and the owner, lessee and occupier of the land, building or premises on which the nuisance arises, exists or continues or is likely to arise or any one or more of such person, owner, lessee, and occupier, to remove, discontinue or abate the nuisance by taking such measures and by executing such work in such manner and within such period of time as the Commissioner shall prescribe in such notice.

(3) The Commissioner may also by any notice under sub-rule (2) or by another notice, served on such person, owner, lessee and occupier, or on any one or more of them require them, or any one or more of them to take all steps requisite or necessary to prevent a recurrence of the nuisance and may, if he thinks it desirable, specify and work to be executed or measures to be carried out for that purpose and may serve any such further notice notwithstanding that the nuisance may have been abated or removed if he considers that it is likely to recur:

Provided that if at any time within four months from the date of the service of any such notice, the nuisance recurs through the failure of the person or persons upon whom such notice has been served to comply with the requirements contained in such notice, such person or persons shall be liable without any further notice to the penalties provided for offences under this rule.

(4) Where the nuisance arises or exists or is likely to arise or recur in connection with the construction, reconstruction, or demolition of any premises, or any part of any premises, the Commissioner may, in addition to serving any notice on any one or more of the persons mentioned in sub-rule (2), serve any such notice on any architect, surveyor, contractor or other person employed to carry out such work of construction, reconstruction or demolition and also on any sub-contractor employed by such contractor or other person, or any one or more of such contractor, person and sub-contractor.

(5) The Commissioner may, by notice in writing, require any person, owner, lessee and occupier, or any one or more of them, to provide, a ladder or ladders (either fixed or movable) for the purpose of inspection of roof gutters by the municipal staff, if such gutters in any premises are likely to become a breeding place of mosquitoes due to the accumulation of water.

(6) If any person who, by a requisition made under sub-rule (2) or sub-rule (3), is required to fill up, cover over or drain off a well, delivers to the Commissioner, within the time prescribed for compliance therewith, written objections to such requisition, the Commissioner shall report such objections to the Standing Committee and shall make further inquiry into the case, and he shall not institute any prosecution under section 481 for failure to comply with such requisition except with the approval of the Standing Committee, but the Commissioner may nevertheless, if he deems the execution of the work called for by such requisition to be of urgent importance, proceed in accordance with section 479 and, pending the Standing Committee's disposal of the question whether the said well shall be permanently filled up, covered over or otherwise dealt with, may cause such well to be securely covered over so as to prevent the ingress of mosquitoes, and in every such case the Commissioner shall determine, with the approval of the Standing Committee, whether the expenses of any work already done as aforesaid shall be paid by such person, or by the Commissioner out of the Municipal Fund or shall be shared, and, if so, in what proportions.