

REPORT OF THE COMMITTEE

MODEL  PUBLIC

HEALTH ACT.

1955

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GOVERNMENT OF INDIA
MINISTRY OF HEALTH

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constituted for the drafting of a comprehensive
MODEL PUBLIC HEALTH ACT
1955

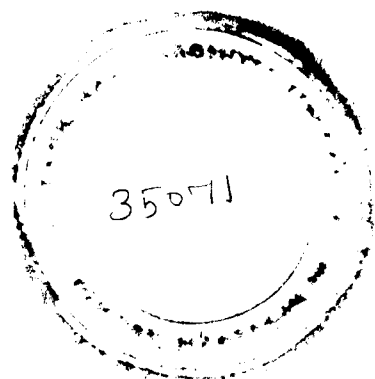
REPORT
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INTRODUCTION

In pursuance of a resolution passed by the Central Council of Health, the Model Public Health Act Committee was constituted by the Government of India, Ministry of Health, in October, 1953 to draw up a model comprehensive Public Health Act which the various States in India might enact with such modifications as may be necessary to suit local conditions.

2. The following persons were appointed to serve on the Committee (vide letter No. F-14-11/53-PHII, dated 6th October, 1953 to Dr. B. C. Das Gupta, Chairman of the Committee:—

1. Dr. B. C. Das Gupta,
Director of Health Services, West Bengal. CHAIRMAN.
2. Dr. K. S. Viswanathan,
Director of Public Health, Madras (retired); now Professor of Public Health Administration, All-India Institute of Hygiene and Public Health, Calcutta. MEMBER.
3. Dr. W. Mathur,
Medical Officer of Health, New Delhi. MEMBER.
4. Shri P. C. Bose,
Chief Engineer, Public Health Engineering, West Bengal. MEMBER.
5. Dr. K. C. Patnaik,
Assistant Professor of Public Health Administration, All-India Institute of Hygiene & Public Health, Calcutta. MEMBER.
SECRETARY

Dr. K. C. Patnaik was not available and his membership was terminated and it became necessary to appoint a Secretary. Government of India approved the appointment of Dr. S. K. Sarkar, MB. DPH, retired Deputy Director of Health Services (Public Health), West Bengal, as the Secretary of the Committee.

The Committee co-opted Shri M. N. Gupta-retired member of the Bengal Civil Service and ex-member of the Bengal Legislative Council for over 12 years as an expert for drafting several Bill of the local Government including Health Acts - as a member of the Committee. Very unfortunately, the Committee has lost the benefit of his valuable advice during the final stages of the revision of the draft clauses due to his sudden death on the 7th January, 1955.

3. The terms of reference to the Committee were :

- “(i) To draw up a model comprehensive Public Health Act, which the various States in India may enact with such

- (8) International Digest of Health Legislation—World Health Organisation publication, as also various other publications by the World Health Organisation on medical relief and public health.
- (9) Publications by American Public Health Association, and also books on specific Public Health matters published in the United States of America.

in order to enable the Committee to study and incorporate the trends of modern thoughts on the subject of medical relief and public health and provision of proper hygienic environments for the people of this vast land.

8. The Committee after mature deliberations came to the following general conclusions on the basis of which the detailed proposals included in the Model Act have been framed :—

- (1) A desirable departure be made from the general principle underlying the existing enactments such as the Madras Public Health Act, 1939 and the Public Health Bills of Bombay and Punjab (India), so that the Model Public Health Act should provide as well for comprehensive medical relief measures and arrangements including hospitals, dispensaries, clinics, laboratories, ambulances, maternity or nursing centres, etc., in addition to the usual Public Health and sanitary measures covered by existing enactments, so as to effect complete integration of both preventive and curative aspects of all health measures into a co-ordinated whole.

From this point of view it would be more appropriate to call the draft a "Model Health Act."

- (2) The local authorities constituted under the different Local Self-Government Acts may continue to be responsible for various public health and sanitary measures as at present but on a more intensive scale and subject to the over-all supervision and control of State Government to be exercised in a much more effective manner than hitherto done; and there should also be scope for expansion or improvement of the local authorities' services now rendered on a meagre scale. But having regard to the limited resources and inadequate organisations of the local authorities and in deference to the growing public demand for Government initiative and intervention, the State Government should, in the considered opinion of the Committee, assume ultimate responsibility for providing integrated medical and health services throughout the State and in particular shoulder the major burden of providing a complete health organisation and reasonably adequate medical services including institutional facilities extending over the whole of the State. The Committee also consider that while the local authorities may be required to undertake specific measures or to render specific services, the State Govern-

ment should be vested with the power to take over or absorb the medical relief and public health services of the local authorities in the State Health Services. It is through the aforesaid process and with the aid of an efficient governmental set-up that the ideal of a healthy state can be achieved within a limited span of time.

- (3) It is obvious that for the proper fulfilment of the obligations that would devolve on the State Governments and local authorities to execute the comprehensive health programme contemplated by the Committee in the Model Public Health Act, adequate financial assistance from the Central Government would be essentially necessary. The Committee trust that the Government of India will readily come forward with a helping hand as is being already extended under the various development plans, but this aspect of the matter is evidently outside the purview of the proposed legislation.
- (4) In view of the elaborate and more or less adequate provisions on the subject already existing under separate ad-hoc Acts for Municipal Corporations in big cities, the Committee do not consider it imperatively necessary to include such corporations within the operation of the proposed Public Health Act.

9. The nature and extent of the detailed provisions that the Committee intend to be incorporated in the Model Public Health Act have been indicated as clearly as possible and the legal shape thereof given in the draft prepared by the Committee, although the exact wording and arrangement of the same will require further examination and recasting in the light of legal phraseology and other technicalities, at the hands of drafting experts. In one or two cases, e.g., in respect of the penalty provision, it will be noticed, the details have been left to be decided upon by the respective State Governments according to local requirements and circumstances.

10. Lastly, but not in the least, the Committee would like to draw attention to the fact that the Committee has endeavoured to avoid making provisions in the Model Act which are likely to encroach on matters or areas such as railways, ports, cantonments, airfields, factories inter-State rivers, inter-State migrations and quarantine, prevention of extension of infectious diseases from one State to another, foods and drugs, etc., falling either with the Union List or Concurrent List of the Constitution, upon which it is either beyond the competence of or inadvisable for the State Government to legislate. None the less the Committee feel that the need for co-ordination of the health activities relating to such matters and areas with the State Health Services cannot be over-emphasised. This can and should, in the opinion of the Committee, be ensured either by suitable ad-hoc legislation by the Central Government or by issue of well-defined instructions by them to the authorities under their control and jurisdiction as also to all State Governments,

11. At the personal request of the Chairman, Shri Dhanesh Chandra Bhattacharya, Registrar (formerly Special Officer, Legisla-

tion) of the Medical and Public Health Department of the Government of West Bengal, took particular care and devoted considerable time for the revision of the draft clauses of the Model Act from beginning to end. With long experience in this office in the administration of medical relief and public health measures and the application of State laws on the context of the provisions of the Central legislations, Shri Bhattacharya has been very helpful in the final shaping of the various clauses of the Model Act and it is hoped that the Model Act would be quite suitable for adoption by a State Government as supplementary to the legislation of the Central Government. The Committee gratefully appreciates the very valuable, painstaking and ungrudging services rendered by Shri Bhattacharya.

12. The Committee would like to place on record its warm appreciation of the work done by Dr. S.K. Sarkar, MB; DPH, (retired Deputy Director of Health Services, West Bengal), our Secretary, without whose hard and devoted labour from the start to the finish of this voluminous report it would have been extremely difficult for the Committee to submit it in so short a time. It is true Dr. Sarkar had been a capable Public Health Officer all his life and therefore had the initial advantage of the knowledge of Public Health laws and their application in the country. Nevertheless, in collecting materials, preparing the preliminary draft, arranging the various chapters and in the submitting the final draft, editing and getting it ready for submission to the Ministry, he has shown a remarkably high degree of his sense of duty, loyalty and responsibility.

13. We cannot close this chapter without expressing our appreciation of the excellent work done by Shri K. Chaudhury, the Stenographer of the Director of Health Services, West Bengal, in getting the final draft, covering more than 300 pages, typed so neatly and so quickly.

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DRAFT OF THE MODEL PUBLIC HEALTH
ACT FOR THE STATES

**An Act to make comprehensive provisions for
Medical Relief and Public Health Services in the
States.**

Whereas it is expedient to consolidate, revise and improve the existing statutory provisions relating to Medical Relief, Public Health and Sanitation and all other purposes connected therewith ;

Preamble :

It is hereby enacted in theyear of the Republic of India by the Legislature of.....State, as follows :—

1. (1) This ACT may be called the Public Health Act of.....State, 19.....

Short Title,
extent and
commence-
ment :

(2) It extends to the whole of the State of.....

This section shall come into force at once ; the remaining provisions shall come into force on such date or dates as the State Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act and for different areas to be specified in the notification.

Local Authorities and from teaching, research and technical institutions.

PART I—ADMINISTRATION

CHAPTER I

Boards, Councils and Committees

State Board
of Health :

1. (1) The State Government shall, as soon as may be after the commencement of the Act, constitute a State Board of Health to advise the State Government on matters of policy and priority of measures relating to Medical Relief and Public Health Services of the State.
- (2) The State Health Board shall consist of the following members :
 - (a) the Minister of Health,
 - (b) the Minister of Local Self-Government,
 - (c) The Deputy Minister of Health, where any,
 - (d) five representatives of the Finance, Education, Industries, and other departments of the State Government to be nominated by the Government,
 - (e) two members from each House of the State Legislature to be nominated by the Government, and
 - (f) the Director of Health Services of the State.
- (3) The Minister of Health shall be the President of the Board and the Director of Health Services shall be the Secretary, ex-officio.

State Health Council
of Experts :

2. (1) As soon as may be after the commencement of the Act, a State Health Council of Experts shall be established by the State Government to advise the Government on the technical aspects of matters relating to Medical Relief and Public Health Services of the State and in connection with the planning and execution of schemes. When a matter of policy or priority is involved such advice shall be tendered through the State Board of Health.
- (2) The State Health Council of Experts shall consist of the representatives of the Health and other departments of the Government as may be determined by the Government, with powers to co-opt, as and when necessary, representatives from the

- (3) The Director of Health Services shall be the Chairman and the Chief Public Health Engineer of the State shall be the Secretary, ex-officio, to the State Health Council of experts

Co-ordinating Health
Committee :

3. (1) The State Government may, after consultation with the Government of India, establish a Co-ordinating Health Committee to advise the State Government on all matters relating to co-ordination of Medical Relief and Public Health Services of the State with those of the ports, railways, cantonments and other areas under the Government of India located within the State, inter-State migration, conservation and prevention of pollution of water on inter-State basis, implementation of International Recommendations or the prevention of spread of communicable diseases and in connection with all projects for development of Medical Relief and Public Health Services extending beyond the State.
- (2) The Co-ordinating Health Committee shall consist of such representatives of the Government of India, State Governments and Local Authorities concerned, as the respective Governments may nominate.
- (3) The State Minister of Health shall be the Chairman and the Director of Health Services of the State shall be the ex-officio Secretary of the Co-ordinating Health Committee.

Sub-Committees :

4. (1) The State Board of Health, the State Health Council of Experts or the Co-ordinating Health Committee may appoint from among its members and with additional members, if any, from outside, such Sub-Committees as it may deem fit, to exercise such functions as may be delegated and subject to such conditions as may be imposed by it.
- (2) The Board, Council or the Co-ordinating Committee may, subject to approval of the State Government, make regulations relating to the procedure and the transaction of business of the said Sub-Committees.

Term of
office of
Board,
Council &
Committees :

5. (1) The members of the Board, Council, Co-ordinating Committee or Sub-Committees other than the ex-officio members shall, unless their seats become vacant earlier by resignation, death or otherwise, be entitled to hold office for three years and shall be eligible for renomination or re-appointment as the case may be.

- (2) The functions of the Board, Council, Co-ordinating Committee or Sub-Committee may be exercised notwithstanding any vacancy therein.

Special Boards and Committees : 6. The State Government may, at any time, constitute Joint, Ad-hoc or Special Boards, Councils or Committees with such advisory functions as may be specified for any particular or general purpose and for any prescribed period and may dissolve such Boards, Councils or Committees after such period.

Rules : 7. The State Government may by rules prescribe the functions, the procedure and manner of transaction of the business and payment of travelling and other allowances for the members of the Boards, Councils, Committees and Sub-Committees constituted for any of the purposes of or under the provisions of this Act.

CHAPTER II

Organisation of the State Health Services

1. (1) The State Government shall be the ultimate authority responsible for the provision of integrated curative and preventive health measures throughout the State. Such measures may be initiated or undertaken by the State Government either independently or in collaboration with the Government of India or Local Authorities or public associations or organisations. State Government to be the ultimate authority
- (2) All such measures and all establishments and institutions in connections therewith, provided by the State Government either wholly or partly from the State revenues under this Act, or any other Act in so far as that Act relates to medical relief or health measures, shall be deemed to be "State Health Services" for the purposes of this Act.
2. The State Health Services may comprise of :— State Health Services :
 - (a) Services relating to any of the matters mentioned in Schedule I according to local needs and circumstances,
 - (b) Services required for co-ordinating the State Health Services with those of the medical and health services of the Government of India, and
 - (c) Services or organisations required for the training of personnel for any of the aforesaid Services.
3. The State Health Services may be operated from :— Operation of State Health Services :
 - (a) The Directorate of Health Services,
 - (b) The District Headquarter Organisations,
 - (c) The Sub-divisional Headquarter Organisations,
 - (d) The Thana or Taluk Health Centres, and
 - (e) The Union or Panchayat Health Centres.
4. (1) There shall be a Directorate of Health Services under the State Government consisting of as many Divisions and Bureaus specified in Schedule II as may be necessary for efficient administration of the State Health Services. Directorate of Health Services :
- (2) The Director of Health Services shall be the chief Administrative and Executive Officer of the

Directorate and he shall be the ex-officio Secretary to the Ministry of Health.

- (3) There shall be such number of Deputy and Assistant Directors, Public Health Engineers, Superintendents and other officers as may be considered necessary by the State Government from time to time for the aforesaid Divisions and Bureaus and institutions connected therewith or any combination thereof.
- (4) An adequate establishment shall be maintained at the different levels of organisation specified in section 3 and the institutions connected therewith and such establishment shall, as far as possible, conform to the standards laid down in Schedule III.

Powers of Director of Health Services & delegation thereof :

5. (1) The Director of Health Services shall have the power to appoint additional personnel and to organise additional services for such periods as he may consider necessary to cope with any emergency arising from extensive epidemic outbreaks of dangerous diseases or from any distress resulting from flood, famine, earthquake, mass movement of people or any other causes, endangering the life or health of the people and shall forthwith report the matter to the State Government.
- (2) The Director of Health Services may, with the approval of the State Government, assume all or any of the powers and functions of any Local Authority or the Health Officer as provided under this Act or any other enactment in force. He may also exercise such other executive authority as the Government may by order empower him to exercise to meet any unforeseen or emergent situation.
- (3) The Director of Health Services shall have the power of supervision and control over all medical and public health services provided by or under the Local Authorities, public organisations or any private person, anywhere within the State.
- (4) The powers conferred on the Director of Health Services by or under this Act or any other enactment may, with the approval of the State Government, be delegated, with or without limitations, by him to any officer or class of officers under him.

Appointment & qualifications of personnel of State Health Services :

6. The State Government may prescribe by rules the minimum qualifications, manner of recruitment and the terms and conditions of service of the personnel for the State Health Services.

7. (1) For the purpose of securing the necessary personnel for the services mentioned in Section 2, the State Government may establish teaching institutions for all or any of the following purposes, viz :—

Training of personnel for State Health Services

- (a) the training of qualified medical men in public health ;
- (b) the training of health visitors, midwives, hospital and public health nurses and welfare workers ;
- (c) the training of officers and subordinate staff in public health engineering ;
- (d) training of sanitary inspectors and other sanitary staff ;
- (e) training of school health workers ;
- (f) training of chemists, bacteriologists, biologists and laboratory technicians for medical relief and public health purposes ;
- (g) training of statisticians with special reference to public health matters ;
- (h) training of specialists and research workers in any branch of medical and sanitary science including nutrition, and
- (i) training of any other class of personnel required for the purposes of this Act.

- (2) The State Government may arrange for the training of the said personnel in any institution anywhere in India or in any foreign country abroad.

8. The State Health Services shall render all possible assistance, on such terms and conditions as the State Government may determine, to any organisation or institution under any department of the Government for any general or specific purposes including the provision of medical relief and sanitary measures.

Assistance of State Health Services :

9. (1) The State Government may at any time order that, during such period as may be specified in the order, any person or persons or class of persons employed in the State Health Services or the Medical Relief and Public Health Services of any Local Authority, whose services are in the opinion of the State Government essentially necessary for the operation or administration of the State Health Services or Medical Relief and Public Health Services of the Local Authority or any part or unit thereof, shall not, during the said period

Essential Services :

relinquish or abstain from their respective posts or duties, except on grounds of their illness to be certified by such medical officer or officers or any other reasonable grounds to the satisfaction of such competent authority as may be specified in the order.

- (2) Any person violating such order shall be liable to summary dismissal from service under the State Government or the Local authority, as the case may be, in addition to any other penalty that may be prescribed in this behalf,

CHAPTER III

State Health Services—(A) District and Subdivisional Health Organisations.

1. The State Government shall provide, according to local needs and circumstances, such Health Services at each district and at each Subdivisional headquarters (hereinafter called "District Health Organisation" and "Subdivisional Health Organisation" respectively) as are referred to in Section 2 of Chapter II read with Schedule I and in particular for —

District & Subdivisional Health Organisations :

- (a) hospital or hospitals with an aggregate number of 200 or more beds and with separate arrangements for cases of infectious diseases
- (b) one or more outdoor dispensaries
- (c) special clinics and hospital facilities for venereal, dental, tuberculous, nutritional, ophthalmic and others diseases
- (d) maternity and child-welfare services and family planning centres
- (e) X-ray facilities
- (f) anti-rabic treatment
- (g) Blood Bank
- (h) laboratory facilities for clinical, bacteriological and public health work
- (i) control of epidemic and endemic diseases
- (j) ambulance services
- (k) supply of drugs, disinfectants, and other stores and equipments
- (l) public health engineering services for environmental sanitation, water-supply, drainage, housing planning, industrial hygiene and similar other purposes involving engineering skill and advice
- (m) services of specialists in any branch of medical and sanitary science.

2. The District and the Subdivisional Health Organisations may be co-ordinated with or be supplementary to or in substitution of such medical relief and public health services as may be provided by the Local Authorities concerned.

Relation with Local Authority Services :

Control of staff of District & Subdivisional Health Organisations :

3. The terms of appointment, qualifications and other conditions of service and the duties of the staff of the District and the Subdivisional Health Organisations shall be as prescribed by the State Government from time to time and they shall work under the control and direction of the Director of Health Services.

PROVIDED THAT the District Medical Officers of Health and the District Public Health Engineers shall possess at least the qualifications prescribed for Health Officers and Health Engineers in sections 3(1) and 3(2) of chapter VI

Power of the District and Subdivisional Medical Officers of Health in respect of local health Services :

4. The District Medical Officer of Health and the Subdivisional Medical Officer of Health shall have the power to inspect the working of all medical relief and public health services of the Local Authorities (except municipal corporations) and public organisations, and of factories, workshops, industrial concerns, mining settlements, plantations, labour camps, colonies and like institutions or organisations and to exercise administrative and supervisory control over all such services within their respective jurisdictions in accordance with the rules prescribed in this behalf by the State Government.

Power of the District Public Health Engineer in respect of local public health engineering services :

5. The District Public Health Engineer shall have the power to inspect and supervise the working of the public health engineering services of the Local Authorities (except municipal corporations) within his jurisdiction for the purpose of carrying out the objectives of this Act, or any other Act in force, in respect of public health engineering matters.

Power of Government to take over hospitals and dispensaries at District & Subdivisional headquarters :

6. As soon as may be after the commencement of this Act the State Government may on such terms as the State Government may determine, take over any hospital and/or dispensary at the district or subdivisional headquarters, with all annexes and appurtenances thereto and with all funds and movable properties thereof, belonging to or under the control and management of the Local Authorities or public organisations ; and on such taking over such hospital or dispensary shall vest in the State Government and shall be run as a State institution.

Separate medical relief arrangements for subdivisional health organisation

7. When the District Health Organisation is or has been established at the district headquarter which is also the headquarter of the subdivision, thana and/or union or panchayet, it shall not be obligatory to provide or to maintain separate medical relief arrangements such as hospitals, dispensaries, clinics, maternity and child welfare centres, X-ray, laboratory and other institutions and faci-

ilities for the Subdivisional Health Organisation, Thana or Rural Health Centres of the area.

and thana or rural health centre not obligatory at common headquarters of district, Subdivision thana and union or Panchayet :

District Health Board :

8. (1) As soon as may be after the commencement of this Act, the State Government shall constitute for every district a District Health Board to co-ordinate the working of different departments of the Government and all Local Authorities within the district in matters relating or incidental to medical relief and public health.

(2) The District Health Board shall consist of the District Magistrate or Deputy Commissioner as Chairman, District Medical Officer of Health as Secretary, District Public Health Engineer, and such other officers of others departments of the Government as the State Government may appoint and two local members of each House of Legislature of the State nominated by the State Government.

District Health Council

9. (1) In every district the State Government shall constitute a District Health Council to advise the District Health Board on technical matters relating or incidental to health services as may be referred to the Council by the District Health Board or the Divisional Commissioner.

(2) The District Health Council shall consist of the following members :

District Magistrate or Deputy Commissioner
—Chairman.

District Medical Officer of Health—Secretary.

District Public Health Engineer.

District and Municipal Health Officers.

Chairman and Engineer of the District Board.

Chairmen of the Municipalities at the district and subdivisional headquarters,

and Two non-official members from each subdivision nominated by the State Government.

10. The manner of conducting the business of the District Health Board and the District Health Council and the tenure of nominated members shall be regulated by rules prescribed by the State Government for the purpose.

Rules for District Health Board and Council :

Local
Advisory
Health
Committee:

11. The State Government may constitute a local Advisory Health Committee for any subdivision, thana or union or panchayet consisting of local officials and representatives of local people and may prescribe rules as to the constitution of such local Advisory Health Committee, its functions and manner of conducting business and the tenure of non-official members.

State Health Services—(B) Thana and Rural Health Centres :

Establish-
ment of
Thana and
Rural
Health
Centres :

12. (1) The State Government shall provide, according to local needs and circumstances, a Thana Health Centre at the headquarter of every Thana and a Rural Health Centre for every Union or Panchayet or for a group of Unions or Panchayets, for such services as are referred to in Section 2 of Chapter II read with Schedule I, and in particular for —
- (a) medical relief from hospital, dispensary or clinic or ancillary domiciliary service
 - (b) maternity and child welfare service
 - (c) school health service
 - (d) prevention and control of epidemic and other diseases
 - (e) ensuring general improvement of sanitation of villages, markets and other places, taking steps for detection and removal of nuisances, scavenging, conservancy and prevention of pollution of water supply through Local Authorities or other agencies, and encouraging other measures for improvement of environmental hygiene.
 - (f) undertaking or encouraging measures directed against harmful and disease-carrying insects and animals
 - (g) registration of births and deaths,
 - (h) health education,
 - (i) collection of information and survey work bearing on public health.
- and
- (2) For the purpose of sub-section (1), "Thana" shall mean the area comprised within a Police Station but shall not include such Police Station as is wholly within a municipal area.

PROVIDED THAT—

- (a) a Thana or Rural Health Centre may be located inside a municipal area within the limits of the Thana, Union or Panchayet or the group of Unions or Panchayets, as the case may be,

- (b) a Rural Health Centre at or near the Thana headquarters may be converted into the Thana Health Centre for the Thana in which it is located,
- (c) no Thana or Rural Health Centre shall ordinarily be established at the district or sub-divisional headquarters and no separate Rural Health Centre shall ordinarily be established for the Union or Panchayet area having within its limits a Thana Health Centre.

13. When a Thana or Rural Health Centre is located within a municipal area, the area of operation of such Health Centre shall, unless otherwise specified by the State Government, extend over the urban area under the municipal authority and in such cases the State Government may take over the medical relief and public health services of the municipality and merge them with the Thana or Rural Health Centre.

Special
provision
for Health
Centre
located
within
municipal
area :

14. The State Government may provide, as far as practicable, additional health services through mobile medical units with such staff and equipments as it may consider necessary to supplement the existing medical and health services—

Additional
health
services
through
Mobile
Medical
Units ,

- (a) for any area which in the opinion of the State Government is without adequate health Services ;
- (b) for any area during serious outbreaks of epidemic diseases or in any emergency involving sickness or loss of life ;
- (c) for specific purposes such as ophthalmic, dental, venereal or tuberculous diseases ; or
- (d) for the purpose of survey work and treatment in connection with any disease or for any matter relating to health and sanitation.

CHAPTER IV

State Public Health Engineering Services.

State Public Health Engineering Services:

1. (1) Subject to the general control of the State Government, the Public Health Engineering Division of the Directorate of Health Services shall be responsible for the control and supervision of all public health engineering measures of the local authorities or public organisations or institutions including the management of works, plants and institutions in connection therewith.
- (2) For the purposes of sub-section (1), the services of the Public Health Engineering Division may extend over and may include—
 - (a) measures for the promotion of—
 - (i) supply of adequate quantity of potable water
 - (ii) drainage and sewerage
 - (iii) hygienic collection and disposal of community and trade wastes
 - (b) prevention of transmission of diseases by mosquitoes, flies and other disease-carrying insects and control of conditions favouring their breeding
 - (c) prevention of transmission of diseases by rats, dogs and other animals and measures in connection therewith
 - (d) sanitation of factories, workshops, industries and offensive trades and measures for safety from occupational hazards
 - (e) provision of healthy thermal conditions in factories, workshops workplaces and in all places of public resort
 - (f) control of dust, effluents and emission of noxious gases, liquids and waste materials from factories, trades and industrial concerns
 - (g) prevention of smoke nuisance and air pollution from factories, trades and industrial concerns and wherever possible from domestic kitchens
 - (h) prevention of pollution of streams, rivers, waterways and water collections
 - (i) measures for slum clearance and "bustee" improvement
 - (j) measures for improvement of housing conditions and increase of housing accommodation

- (k) improvement of towns and villages and planning thereof
- (l) sanitation of food processing and food handling institutions
- (m) sanitation of parks, playgrounds, fields and such places as are used for temporary encampments in connection with fairs, festivals or influx of people for any reason
- (n) sanitation of bathing places and swimming pools
- (o) sanitation of burial and burning grounds and crematories, and
- (p) measures for improvement of environment hygiene, promotion of civic amenities and general sanitation and health of all areas within the State.

2. (1) The Public Health Engineering Division of the Directorate of Health Services shall be incharge of a Chief Public Health Engineer who shall be assisted by such engineering staff as may be necessary and provided by the State Government.

Chief Public Health Engineer and other subordinate staff:

- (2) There shall be a qualified Public Health Engineer in each district and an Assistant Public Health Engineer or Overseer in each sub-division and other sub-ordinate staff working under the overall supervision and control of the Chief Public Health Engineer.

- 3 The services of the Public Health Engineering Division shall be available to the local authorities and public organisations or institutions either free of charge or on payment of such fees as the State Government may prescribe for —

Services to be available to local authorities and public organisations:

- (i) consultation and technical advice on matters of sanitary engineering,
- (ii) preparation and execution of housing, water-supply, drainage and sewerage schemes,
- (iii) planning and execution of town and village planning schemes, and
- (iv) supervision of execution of any work under the aforesaid clauses.

4. (1) Subject to the provisions of Part III of this Act and except in so far as they are not inconsistent

Prior approval of

Chief Public Health Engineer or other officers necessary to certain sanitary schemes and works :

with this section, no scheme, project or work relating to—

- (a) roads, bridges, culverts, embankments, major excavations of earth, irrigation or drainage channels, drains and all such works for any purpose, which are likely to affect the hydrological condition of area,
- (b) establishment of waterworks, piped water supply, sewerage, installation of septic tank latrines, treatment and disposal of sewage effluents and trade wastes, or
- (c) sanitary engineering works for improvement of housing or planning of towns and villages, shall be undertaken without consultation with and approval of the Chief Public Health Engineer or such other officer or officers as may be specified by the State Government in this behalf.

- (2) The State Government may by rules prescribe the procedure for such consultation and approval on payment of such fees as it may determine in respect of any class or classes of schemes, Projects and works.

Standards to be observed in respect of any public health engineering matter:

- 5. (1) Subject to the provisions of Part III of this Act, the State Government may, after previous publication, prescribe the standards to be observed in connection with any of the matters mentioned in sub-section (2) of section 1 and may direct the Local Authorities, public organisations or institutions concerned to adopt necessary measures for the observance of the prescribed standards.
- (2) It shall be the duty of the Chief Public Health Engineer to ensure that the said standards are observed by the authorities, organisations or institutions concerned and to recommend, after investigation, remedial measures in case of any deviation from the standards. Such authorities, organisations or institutions shall give effect to the remedial measures so recommended.
- (3) If the said authorities, organisations or institutions fail to implement the recommendations of the Chief Public Health Engineer within a reasonable time, the State Government may itself implement the same or cause the same to be implemented at the cost of the said authorities, organisations or institutions.

CHAPTER V

Medical Relief and Public Health services of the Local Authorities,

- 1. (1) Notwithstanding anything contained in Chapter III of this Act, the Local Authorities shall be responsible for the proper discharge of the duties and responsibilities imposed on them by and under the various provisions of this Act and any other enactment in force relating to medical relief and public health measures, until and unless the State Government otherwise declare, either for all or individual local authorities, in respect of any particular duties and responsibilities.
- (2) If the State Government consider that the State Health Services provided in any local area or part thereof are reasonably adequate for such area or part thereof, it may by an order in this behalf declare that the Local Authority concerned shall cease to function with effect from such date and in respect of such services or matters as may be specified in that order.

Duties and responsibilities of Local Authorities.

PROVIDED THAT the State Government may subsequently at any time rescind or modify such order and direct that the Local Authority concerned shall continue to function in respect of any such services or matters for such period as may be specified.

- (3) In case of any difficulty or dispute about the onus and responsibility in respect of any matter relating to medical relief and public health measures under this Act or any other enactment in force, the matter shall be referred to the State Government whose decision shall be final.
- 2. (1) Subject to the provisions of Section 1, the Local Authorities shall provide adequate medical relief and public health measures of such nature and on such scale as may be directed by the State Government from time to time and operation of such measures shall be subject to general control and supervision of the State Government and further subject to such rules or order as may be prescribed or issued by the State Government in this behalf :

Local Authorities to provide medical relief and public health measures of prescribed standard.

PROVIDED THAT the State Government may, by notification in this behalf, direct that in respect of any such function to be performed by the Local Authority under this Section or any other provisions of this Act, as may be specified in the notification, the District Board or any Union or Panchayet Authority, shall be the Local Authority in respect of all or any areas comprised within the jurisdiction of an Union or Panchayet.

- (2) Where a direction has been issued under the proviso to sub-section (1) in respect of any function, the State Government may, by a general or special order, provide for the apportionment of expenses in the performance of such function in the areas of the Union or Panchayet between the District Board and the Union or Panchayet Authority.

Power of the Director of Health Services to cause improvement of local authorities health services :

3. (1) Notwithstanding anything contained in any enactment, the Director of Health Services, and such other officers of the State Government as are empowered under this Act to supervise or control the medical relief and public health services of the Local Authorities, may recommend measures for improvement of the said services.
- (2) The Local Authorities and their employees shall comply with such directions or orders as may be given by the Director of Health Services from time to time for the implementation of any of the measures recommended under sub-section (1) or for the general improvement of the said services.

PROVIDED THAT if, on account of financial or other reasons, the Local Authority is unable to carry out such measures or comply with any such direction or order, or if there is any difference of opinion between Director of Health Services and the Local Authority, the matter shall be referred to the State Government whose decision shall be final.

Power of the Director of Health Services to cause disciplinary action against or transfer of staff of local authorities:

4. Subject to such rules as may be prescribed by the State Government for the purpose, the Director of Health Services shall have the power—

- (a) to require any Local Authority to take disciplinary action against any employee of such Local Authority when such disciplinary action is, in the opinion of the Director of Health Services in exercise of the powers conferred on him under section 3 (2), deemed necessary.

- (b) to transfer any member of the technical staff of the medical relief and public health services establishment of one Local Authority to similar establishment of another Local Authority, either permanently or for such period as may be considered necessary, in the interest of public health.

5. Every Local Authority shall devote for the provision of medical relief and public health purposes, in the case of a municipal area, at least one-third of its income excluding grants or loans, if any, received from the State Government, and in the case of a non-municipal areas, at least one-fifth of its income excluding grants or loans, if any, received from the State Government, or such higher percentage in either case as may be laid down by the State Government from time to time.

Certain percentage of income of local authorities to be devoted for medical relief and public health purposes :

6. (1) The State Government may assist a Local Authority by loan of the services of medical and health personnel and may recover from such Local Authority the whole or a portion of the pay and allowances of such personnel, including such contributions towards leave allowances, pension or provident fund, as the State Government may, by a general or special order, determine.

Government may lend services of medical and health personnel to local authorities:

- (2) The State Government shall retain full control over such lent personnel and may at any time, after giving intimation to Local Authority, withdraw such personnel.

7. Notwithstanding anything contained in this Act or any other enactment, the State Government shall have the power to take over, either permanently or for a specified period, a part of or the entire medical relief and public health services, including the establishment and institutions connected therewith, of any Local Authority on such terms and conditions as the State Government may decide and absorb such establishment and institutions in the State Health Services.

Power of Government to take over health services of local authorities

8. The State Government may require the Local Authority to contribute annually to the State Government an amount equivalent to the average expenditure for the five years immediately preceding incurred by the Local Authority for the maintenance of such medical relief and public health services including the establishment and institutions connected therewith or part thereof as may be taken over by the State Government under Section 7, provided that the State Government may, in consideration of the financial condition of the Local Authority or any subsequent expansion of medical relief and public health services by the Local Authority, reduce the amount of such annual contribution or altogether exempt the Local

Local Authority may be required to contribute on account of health services taken over by Government :

Authority from such contribution for any year or a period of years.

Powers and duties of local authorities to vest in Government in respect of health services taken over:

9. When in any local area, either municipal or rural, or any part thereof; the medical relief and/or public health services of the Local Authority are taken over, either wholly or partly, by the State Government, under Section 7, the powers, duties and responsibilities, statutory or otherwise, of such Local Authority for such area or part thereof shall vest in the State Government; and the State Government may, by notification delegate all or any of such powers duties and responsibilities to Medical Officers of Health of the State Health Services and/or such other officers of the State Government as may be specified in the notification.

Local Authority required may be required to furnish information etc.

10. The State Government may at any time require a Local Authority to furnish any information, statement, report and account on matters relating to medical relief and public health services of such Local Authority.

Powers of Government in case of failure of local authorities to perform their duties :

11. (1) If it appears to the State Government that a Local Authority has failed to exercise its powers and to perform its duties in respect of medical relief and public health services to the satisfaction of the State Government or adequate financial provisions have not been made for the fulfilment of such duties and responsibilities, the State Government may, notwithstanding anything contained in any enactment, by an order direct the said Local Authority to make adequate financial provisions or to take necessary measures for due exercise of its powers, and proper performance of its duties within such period as the Government may specify in the order.

(2) If within the period specified in the order under sub-section (1), sufficient action has not been taken by the Local Authority for the necessary financial provisions or for performance of the duties to the satisfaction of the State Government, the State Government may by an order empower the Director of Health Services or any other Officer of the State Government to perform the duties and to exercise the powers of the Local Authority in such manner and for such period as may be specified in the order.

(3) The expenses incurred under sub-section (2) by the Director of Health Services or any other officer of the State Government shall be paid, either wholly or in part, from the funds of the Local Authority and in such manner as may be directed by the State Government.

CHAPTER VI

Health Officers and Health Engineers of Local Authorities.

1. Notwithstanding anything contained in any other Act and subject to the provisions of Section 1 and Section 6 of chapter V of this Act, the State Government shall appoint.

Appointment of Health Officers and Health Engineers of Local Authorities :

(1) for the local area under the jurisdiction of a District Board :

(i) a Health Officer, and

(ii) unless there is in the employ of the District Board an engineer with the requisite qualifications of a public health engineer, a Health Engineer ;

(2) for the local area under the jurisdiction of a municipal authority :

(i) if the population is 20,000 or over, a Municipal Health Officer, and

(ii) if the population is 50,000 or over, a Municipal Health Engineer ;

(3) All such District and Municipal Health Officers and Health Engineers shall be treated as State Government employees and shall be deemed to have been lent to the Local Authorities concerned, under section 6 of chapter V.

PROVIDED THAT

(1) the State Government may appoint a Health Officer or Health Engineer for a municipal area having a population less than 20,000 or 50,000 respectively,

(2) the State Government may appoint a Municipal Health Officer or a Municipal Health Engineer for a combination of two or more adjacent municipal areas with an aggregate population exceeding 20,000 or 50,000 respectively and may determine the duties and functions of the Joint Health Officer or the Joint Health Engineer, and the financial and other responsibilities of the municipal authorities concerned,

- (3) the State Government may, instead of appointing a Health Officer and or a Health Engineer for the District Board, lend to the District Board the services of

(i) a Medical Officer of Health, and/or

(ii) the District Public Health Engineer of the District Health Organisation of the State Health Services,

but any such arrangement may be terminated at any time with the appointment of a Health Officer and/or a Health Engineer for the District Board under sub-section (1).

Health Officers and Health Engineers already in Service of Local Authorities :

2. The Health Officers and the Health Engineers of the Local Authorities, who possess the requisite qualifications for such posts and are already in service for more than 5 years, shall be deemed to have been employed by the State Government with effect from such date or dates as may be notified by the State Government and on such terms and conditions as the State Government may determine after due consideration of the terms and conditions of their services under the Local Authorities concerned.

Qualifications of Health Officers and Health Engineers :

3. (1) No person, who is not a registered medical graduate having registerable qualifications under the Indian Medical Council Act and does not possess, in addition, a diploma or degree in public health or sanitary science and, at the time of his appointment at least 5 years' experience as Health Officer or a like post in any urban or rural area or in Army service, shall be eligible for appointment or be appointed as the Health Officer of a district or of a municipal area having a population of 50,000 or over.

- (2) No person other than a registered medical practitioner having training or experience in public health work shall be eligible for appointment or be appointed as Health Officer for any municipal area having a population less than 50,000.

PROVIDED THAT in exceptional cases a registered medical practitioner with training or experience in public health work may be appointed, for a period not exceeding two years, as Health Officer for a municipal area having a population of 50,000 or over.

PROVIDED ALSO THAT the medical officer in charge of the local hospital of the Government or Local Authority, if he is a medical graduate, may be

authorised by the Government to act in addition to his own duties as the Health Officer for the local area for a period not exceeding 6 months on such additional remuneration as the State Government may fix.

- (3) No person who is not a graduate in Engineering of any Indian University or does not possess an equivalent degree or qualification as may be prescribed by the State Government, and who has not got adequate experience in design and construction of water-supply, sewerage systems, sewage disposal and treatment plants, shall be eligible for or be appointed as a Health Engineer of a Local Authority.

4. Subject to general control and supervision of the District Medical Officer of Health :—

Powers and duties of Health Officers :

- (1) the Health Officer shall be the principal officer in charge of medical and health services including the hospitals, dispensaries and clinics under the management of the Local Authority, and he shall be the adviser to the Local Authority in respect of all matters relating to medical relief, sanitation and improvement of public health ;
- (2) the Health Officer shall exercise supervision and control over all other members of the medical relief and public health services establishment within the local area.

PROVIDED THAT if there be no Health Officer in any municipal area, the Health Officer, of the District Board may exercise the powers and functions of Municipal Health Officer.

- (3) the Health Officer shall co-operate with the officers of the State Health Services and shall, as far as possible coordinate the medical and health services under his control and supervision with those under the State Health Services.

5. Subject to general control and supervision of the District Public Health Engineer, the District Board or Municipal Health Engineer shall have the power to inspect and supervise the activities of all public health engineering staff within their respective local areas and all matters relating to environmental hygiene and sanitation in accordance with the rules prescribed by the Government.

Powers and duties of Public Health Engineer :

6. In addition to any duties and responsibilities of the Health Officer under this Act or any other Act in force, the State Government may prescribe from time to time further duties and responsibilities and may impose restrictions and limitations in the exercise of such duties and responsibilities.

Additional powers and duties of Health Officers :

Local
Autho-
rites to
provide
office and
other
facilities :

7. Every Local Authority shall provide the Health Officer, and the Health Engineer, if any, with such office establishment, subordinate staff, accommodation and suitable conveyance as may be required for proper functioning of the medical relief and public health services.

PART II

Medical Relief and Public Health Measures.

CHAPTER VII

Hospitals, Dispensaries and Clinics

1. (1) In addition to the provision for medical relief arrangements in the districts made by the State Government under Chapter III, the State Government shall provide, at or near the headquarters of the State.

Establishment of hospitals, dispensaries and clinics.

 - (a) at least one General Hospital with attached out-door dispensary, clinic, X-ray and other facilities for diagnosis and treatment ;
 - (b) at least one Infectious Diseases Hospital, and
 - (c) at least one Maternity Hospital, for accommodation and medical care of (a) sick persons generally, (b) persons suffering from infectious diseases and (c) maternity cases, respectively.
 - (2) The State Government may establish one or more special hospitals for accommodation and treatment of patients suffering from any particular disease at the headquarters of the State or at any suitable place or places within the State.
 - (3) The State Government may, with the concurrence of and, if necessary, in collaboration with, the respective State Government or the Government of India, establish one or more hospitals at any place outside the State for the treatment of any particular disease.
2. Not less than fifty per cent of the beds in any hospital established by the State Government anywhere within the State shall be free beds.

Free Beds.
 3. (1) Subject to the provisions of Section 6 of Chapter III, a Local Authority, a recognised public organisation or a private person may, with the approval of the Government and in accordance with the rules prescribed by the Government in this behalf, establish and maintain a public hospital, dispensary or clinic at any place, and in

Hospitals and Dispensaries under local management.

particular, where such medical relief arrangements do not exist.

- (2) The State Government may make grants-in-aid, initial or recurring or both, for any such hospital, dispensary or clinic on such terms and conditions as the Government may determine.

Government to make rules.

4. The State Government may prescribe rules generally for the establishment, classification, management and control of all hospitals, dispensaries and clinics including laboratories and annexes thereto within the State.

- CHAPTER VIII

Prevention & Control of Infectious Diseases

1. For the purposes of this ACT

Infectious Diseases :

- (1) the expression "INFECTIOUS DISEASE" means any of the following diseases, namely :

- (1) Anthrax
- (2) Cerebrospinal fever
- (3) Chicken Pox
- (4) Cholera
- (5) Diphtheria
- (6) Enteric group of fevers
- (7) Erysipelas
- (8) Influenzal Pneumonia
- (9) Leprosy
- (10) Measles
- (11) Plague
- (12) Rabies
- (13) Scarlet fever
- (14) Small Pox
- (15) Tuberculosis of lungs and intestines
- (16) Typhus
- (17) Virus Encephalities, and

- (18) any other disease which the Government may, from time to time, by notification, declare to be an infectious disease,

- and, (2) the expression "DANGEROUS DISEASE" means any infectious disease which the Government may declare by notification in the official gazette as a "Dangerous Disease".

Dangerous Diseases :

A. Infectious Diseases in General

2. In the event of the prevalence, outbreak or threatened outbreak of any infectious disease in any area, the Local Authority concerned shall take steps for the control,

Control and prevention of spread of

infectious diseases by Local Authority or by Director of Health Services

prevention and treatment of the disease and provide such staff, medicines, appliances, equipments and accommodation for treatment and other measures as may be recommended by the Health Officer for the above purposes and for investigating the causes of the prevalence or outbreak of the disease in the area ;

PROVIDED THAT

- (i) if the Local Authority does not agree with the opinion of the Health Officer, the matter shall be immediately reported to the Director of Health Services whose decision shall be final ;
- and, (ii) if the Local Authority fails to take action according to the decision of the Director of Health Services, the Director may himself cause such action to be taken by or through the District Medical Officer of Health, and for this purpose may provide the necessary staff, medicines, appliances, equipments, and accommodation for treatment and charge the cost incurred on the Local Authority in such manner as the State Government may direct.

Local Authority to provide treatment facilities :

3. (1) (a) The Local Authority may, and if so required by the State Government, shall provide accommodation for treatment of persons suffering from infectious diseases in the isolation wards of any existing hospitals or in any temporary hospital arranged for the purpose or contract for the use of any private hospital or part of a hospital.

- (b) In the event of failure of the Local Authority to comply with the requisition under sub-section (a) or to make sufficient provision for the purpose, the Government may establish such hospitals or otherwise arrange for the accommodation and treatment of persons suffering from infectious diseases and recover from the Local Authority the whole or part of the cost as the Government may determine.

- (2) Two or more Local Authorities may jointly provide a common isolation hospital or place for reception of persons suffering from infectious diseases.

Jurisdiction over boats, vessels, vans and tents.

4. The provision of this chapter shall apply to an inland ship, vessel, boat or van lying within the jurisdiction of the Local Authority and a tent or shed or structure used for human transport or habitation.

5. No person who is or has been suffering from, or in circumstances in which he is likely to spread, any infectious disease shall engage himself or be engaged in any vocation likely to spread the infection without a special permit in writing from the Health Officer and otherwise than in conformity with the conditions specified therein.

Restrictions on vocations likely to spread infectious disease :

6. (1) No person shall let or sublet for hire any house, room or part of the house in which any person has been suffering or has died from any infectious disease within three months immediately preceding unless such house, room or part of the house and all articles therein likely to retain the infection, are cleansed and disinfected to the satisfaction of the Health Officer.

Restrictions on letting of houses :

- (2) Any person violating the provision of sub-section (1) or making false statements when questioned in this connection shall be liable to prosecution.

7. No person who is suffering from an infectious disease shall take any book, or cause any book to be taken for his use, from any public or circulating library.

Library Books :

B. Dangerous Diseases

8. (1) (a) When a case of dangerous disease occurs in a house, the head of the family or the nearest male relative in attendance upon the patient or, in the absence of any such relative, the occupier of the house or if the occupier of the house be a patient, the senior inmate of the house other than the patient, shall as soon as he is cognisant of the fact, notify the incidence of such a case of dangerous disease to the Health Officer or the nearest member of the Medical Relief and Public Health services of the Local Authority or the State Health Services, or the Chowkidar or Village Watchman.

Information to be given to the Health Officer about incidence of dangerous diseases.

- (b) The manager of a factory, or the Headmaster of a school, the person in charge of a public building or the keeper of a lodging house who knows or has reason to believe that any person in any premises under his management, control or occupation is suffering from or has died of any dangerous disease shall give information within 24 hours to the Health Officer or to the nearest member of the Medical Relief and Public Health Services of the Local Authority or the State Health Services, or the Chowkidar or Village Watchman.

Information by
medical
practitioners.

(c) Every medical practitioner (which term includes all persons practising profession of healing or treatment of diseases under any system) who, in the course of his practice, becomes cognizant of a case of dangerous disease in any house or place other than a public hospital, shall give information of the same with the least practicable delay by special messenger to the Health Officer or the nearest member of the Medical Relief and Public Health Services of the Local Authority or the State Health Services.

(d) When any such case is brought to any hospital or dispensary for treatment, the information shall be given by the medical officer in charge of such hospital or dispensary.

Duty of
watchmen
and others
to report
about cases
of dangerous
diseases :

(2) (a) In non-municipal areas it shall be the duty of every Chowkidar or Village Watchman to keep himself informed of the incidence of dangerous diseases from day to day and to report the incidence and prevalence of the disease, till the epidemic completely subsides, in such manner as the Government may prescribe.

(b) In Municipal areas it shall be the duty of such person or persons as may be appointed in this behalf to keep himself informed of the incidence of dangerous diseases from day to day and to report the incidence and prevalence of the disease, till the epidemic completely subsides, in such manner as the Government may prescribe.

Power of
entry in
case of
dangerous
disease :

9. (1) The Health Officer may, at any time by day or night, enter with or without assistants, upon any land or premises or any place in which a case of dangerous disease is reported or suspected to exist, after giving such notice as may appear to him reasonable and without such notice in the case of factories, workshops, workplaces, offices, business places and the like for the purposes of inspection, investigation and adoption of such measures as he may consider necessary to prevent the spread of the disease beyond such places.

(2) The powers conferred by sub-section (1) on the Health Officer may be exercised by any person duly authorised by the Government or Local Authority.

Power of
Health
Officer in
emergency

10. (1) When in the opinion of the Health Officer there is an emergency and immediate action is necessary for the control or prevention of an outbreak of dangerous disease, the Health Officer may, notwithstanding anything contained in section (2) appoint such additional staff for a period not exceeding two months, and obtain such medicines, appliances, equipments and other things as may be urgently necessary, in anticipation of the approval of the Local Authority, and the expenses incurred in respect thereof shall be met from the funds of the Local Authority.

(2) All appointments made and action taken for the provision of medicines, appliances, equipments and other things shall be forthwith reported by the Health Officer to the Local Authority concerned and the Director of Health Services.

Isolation
of patients
suffering
from
dangerous
diseases at
home and
elsewhere :

11. (1) When in the opinion of the Health Officer or of any person duly authorised by him, any person suffering from a dangerous disease is without proper lodging or accommodation or is lodged in such manner that he cannot, in the opinion of the Health Officer, be properly isolated in his home so as to prevent the spread of infection, the Health Officer may direct or cause the removal of such person to a hospital or place at which patients suffering from such dangerous disease are received for treatment,

PROVIDED THAT, if any such person is a female she shall not be removed to any hospital or place where there is no accommodation or arrangement for females.

(2) No person, who has been ordered to be in home isolation shall leave the place until he has received permission from the health Officer or any person duly authorised by him.

Restriction
of move-
ment of
person
suffering
from
dangerous
disease :

12. (1) No person who is suffering from a dangerous disease shall expose himself in any street or any public place such as, amongst others, market, theatre or other place of entertainment or assembly, or a school, college, play-ground, or such other places or a hotel, hostel, lodging house, rest-house or club or railway station, office, factory or workshop or a temple, mosque, church, prayer ground or bathing ghat.

(2) No person who has the care of a patient suffering from a dangerous disease shall cause or permit the patient to expose other to the risk of infection by his presence or conduct in any place referred to in sub-section (1).

Restriction
of entry
into house
with
incidence
of
dangerous
Disease :

13. (1) No person, other than a medical practitioner, nurse or attendant, knowingly shall enter any place where a person has developed cholera, small pox or plague or any other dangerous disease or wherefrom a patient has been removed to hospital or a place of isolation unless he is or forthwith gets himself vaccinated or inoculated against the disease.
- (2) Any person violating the restriction under sub-section (1) may be placed under isolation in such manner as the Health Officer or any person authorised in this behalf, directs.

Health
Officer
may direct
owner or
occupier to
take simple
sanitary
measures
and in de-
fault, carry
out the
same :

14. (1) If the Health Officer, or any person authorised in this behalf, is of opinion that any house, building or part thereof is in a filthy or insanitary condition or any article contained therein or any tank, pool, well or water collection within or adjacent to a building would tend to spread the infection of any dangerous disease, he may direct the owner or occupier to cleanse, disinfect or whitewash in such a manner as would check the spread of the infection : where the owner or occupier of such house, building or part thereof is unable to carry out the requirements specified in the order, the Health Officer may arrange for the cleansing and disinfection of such house, building or part thereof, article, tank, pool, well or water collection, and the owner or occupier of such house, building or any part thereof or of the water collection shall afford necessary facilities for such cleansing, disinfection and other measures.
- (2) The cost of cleansing and whitewashing of any building or part thereof, under sub-section (1) shall be paid by the person in actual possession or if there be no such person, by the owner thereof.

Prohibition
of certain
works in
an affected
premises :

PROVIDED THAT if, in the opinion of the Health Officer, the owner or occupier is unable to pay the said cost or if the tank, pool or well is open to use by the public, it shall be paid from the fund of the Local Authority.

15. (1) If a case of dangerous disease occurs in any premises the Health Officer, may, whether the person suffering from the disease has been removed from the premises or not, make an order prohibiting any work of the nature mentioned in sub-section (3) of this section to be given out to any person living or working in those premises or in such part thereof and any order so made shall be posted at the entrance of the house or otherwise displayed on the house.

- (2) An order under this section may be expressed to be operative for a period specified in the order or as long as any other precautions specified in the order are necessary.

- (3) This section applies to the making, cleaning, washing, altering, ornamenting, finishing or repairing of wearing apparel of any kind and any work incidental thereto and the preparation and packing of foodstuffs, and such other classes of work as may be, from time to time, notified by the Government.

16. (1) If it appears to the Health Officer that the water of any well, tank or other place is likely, if used for the purpose, of drinking, bathing, washing or for any other purpose, to endanger health or cause the spread of any dangerous disease, he may, by public notice, prohibit the removal or use of the said water for any such purpose.

Prohibition
of use of
water
likely to
spread
dangerous
disease :

- (2) No person shall remove or use the water in respect of which any such public notice has been issued.

17. (1) If the Health Officer is of opinion that the destruction of any hut or shed is unavoidably necessary to prevent the spread of any dangerous disease, he may, with the approval of the Local Authority, after giving to the owner and the occupier of such hut or shed such previous notice of his intention as may, in the circumstances of the case appear to him reasonable, take measures for having such hut or shed and any other infected material therein destroyed.

Power of
Health
Officer for
destruction
of hut or
shed in un-
avoidable
circums-
tances :

- (2) Such compensation not exceeding the value of the hut or shed, as the Local Authority may consider reasonable, shall be paid by the Local Authority to any person who sustains loss by the destruction of any such hut or shed ; but save as provided in this sub-section, no claim for compensation shall lie for any other reason or for any loss or damage caused by any exercise of the powers conferred by sub-section (1).

18. If on the application of the Health Officer, a Magistrate (not below a Magistrate of Second Class) is satisfied that it is necessary in the interest of public health that a dwelling or lodging house or any place where articles of food are sold, or prepared, stored or exposed for sale, or distributed, should be closed on account of the existence of recent occurrence of a case of dangerous disease in such premises or in an adjacent premises, the Magistrate may, by order, direct it to be closed until the expiry of such period as may be specified in the order or until it is certified by the Health Officer that there is no further risk of spread of infection.

Closure of
places
where food
is manufac-
tured or
sold.

Restriction
about in-
fected
clothing
and
articles.

19. No person shall send or take to any laundry or public wash-house or any public water-course, tank or well, for the purpose of being washed, or to any place for the purpose of being cleaned, any clothing, bedding or other article which has been exposed to infection from any dangerous disease, unless such article has been cleansed and disinfected to the satisfaction of the Health Officer or any person authorised by him.

- (2) place or cause or permit to be placed in any dust-bin or other receptacle for the deposit of refuse, any matter which he knows to have been exposed to infection from a dangerous disease and which has not been disinfected.

Regarding
dead bodies
of danger-
ous
diseases.

20. (1) No person having the charge or control of the body of any person who has died from any dangerous disease shall permit or suffer any other person to come necessarily into contact or proximity with the dead body.
- (2) No person shall, without the permission in writing of the Health Officer or a person duly authorised by him, retain in any premises for more than 12 hours the body of any person who died while suffering from any dangerous disease.
- (3) If any such dead body remains undisposed for more than 12 hours with the sanction as referred to above or if the dead body of any person is retained in any place so as to endanger the health of the inmates of such place or of adjoining or neighbouring places, the Magistrate may, on the report of the Health Officer or any person authorised by him, order the body to be removed and either buried or burnt within a specified time. The expenses of removal of the body shall be borne by the Local Authority and shall be realised, if possible, from the person in charge of the dead body.
- (4) If any person dies in a hospital or a place of isolation while suffering from any dangerous disease, it shall be taken direct to a burial or burning ground or a crematorium and there buried or burnt with the least practicable delay.
- (5) (i) No person shall throw the dead body of any person who has or is said to have died of any dangerous disease, in any river, stream, channel, tank or "beel".
- (ii) Any such dead body found in a river, stream, channel, tank or "beel", shall be taken custody of by the police for investigation and disposal.

21. In the event of prevalence of a dangerous disease in any local area the District or the Subdivisional Magistrate may generally or by a special order, prohibit any assemblage of persons exceeding 25 in any place, whether public or private, under any circumstances and for any purpose, if he is satisfied on the report of the Health Officer or any officer of the State Health Services, that such assemblage in such place and in the reported circumstances and purposes would be likely to become the means of spreading the disease amongst the people.

Power to
restrict
gathering ;

22. (1) When the District Magistrate considers that an area is likely to be effected with any dangerous disease, he may direct the Health Officer to arrange for compulsory vaccination or re-vaccination and or inoculation on a mass scale as an anticipatory measure for the protection of the people and no person shall, except on a medical certificate, raise any objection to such vaccination or inoculation.

Compul-
sory vacci-
nation &
inoculation
in threa-
tened
epidemic :

- (2) All such vaccination, re-vaccination or inoculation on a mass scale shall be free of charge.

Free vacci-
nation &
inocula-
tion ;

- (3) No person shall cause any obstruction to such mass vaccination, re-vaccination or inoculation work or prevent any person from taking vaccination, re-vaccination and/or inoculation.

Prosecu-
tion in case
of obstruc-
tion :

23. (1) The State Government may frame epidemic regulations for promulgation in the manner described thereafter. Such regulations may empower the District Magistrate, the District Medical Officer of Health, the District Health Officer or any other officer of Government or the Local Authority to take necessary measures for the control and prevention of spread of dangerous diseases.

Enforce-
ment of
Epidemic
Regula-
tion :

- (2) When at any time the District Magistrate is satisfied that any local area or any part thereof is visited by or threatened with the outbreak of any dangerous disease in an epidemic form, and if he considers that other provisions of this Act are not sufficient to check the spread of the disease, he may by a public notice declare the local area or any part thereof as an infected area and promulgate the said regulations to be in force for a specified period, which may be extended by further public notice.

- (3) On the promulgation of the said regulations by public notice in any local area or any part thereof, the public or any person or any class of persons of the infected area shall comply with the directions and orders issued under the said regulations.

Provisions
Epidemic
Regula-
tions ;

24. The Epidemic Regulations framed under section 23 sub-section (1) may provide for, inter alia,

- (a) prohibition of entry into and evacuation of infected premises or areas
- (b) immunisation of all persons likely to be infected by the disease
- (c) compulsory isolation and hospitalisation of infected persons
- (d) restriction on movement of persons who have come into contact with patients and dead bodies
- (e) restriction on preparation, handling and sale of foodstuffs
- (f) restriction on movement of food grains and other articles from and within the infected area
- (g) supply of safe water and arrangements in connection thereof
- (h) disinfection and other simple sanitary precautions
- (i) closure of public places such as schools, colleges, hostels, markets, cinemas, theatres and like places
- (j) measures against rodents and insects
- (k) fumigation and other measures for deratisation,

and (l) any other measure as may be advised by the Director of Health Services.

Application
of Epidemic
Regula-
tions to
travellers :

25. Such regulations may also provide for

- (1) the examination of persons
 - (a) arriving by any ship, vessel, aircraft or rail,
 - or
 - (b) travelling by any public vehicle or other means of transport,

and, (2) segregation, isolation or temporary detention of any person found to be suffering from any dangerous disease.

Restric-
tions about
the school
children ;

26. No person being the parent or guardian of a child who is or has been suffering from any dangerous disease or has been exposed to such infection, shall permit such child to attend school unless the child is certified by a registered medical practitioner that in his opinion such child may attend school without risk of communicating the disease to others.

27. The Headmaster or the person in charge of any school or college in which any student is found or is reported to be suffering from any dangerous disease shall forthwith intimate the fact to the Health Officer, and if so required by the Health Officer, furnish a complete list of names and addresses of all students of the school or college.

Responsi-
bility of
Head-
master ;

28. If the Health Officer is in possession of evidence that any person is suffering from or has died of a dangerous disease and the cause is attributable to the milk supplied by any milkman or from any dairy, the Health Officer or any officer duly authorised by him shall inspect and examine with the help of a veterinary surgeon, if necessary, the animal or animals and the person or persons engaged in the handling of milk and if he is satisfied that the infection has been spread from the milk supplied, he shall report the matter to the Magistrate for issue of an order prohibiting the use of said milk or from the said dairy for a specified period and for adoption of such other measures as may be considered necessary in the circumstances.

Regarding
milk and
milkmen
being cause
of danger-
ous
disease ;

29. In the event of any local area being at any time visited by or threatened with an outbreak of any infectious epizootic disease or is likely to be introduced into the local area, the Local Authority may with the sanction of the Government take such measures and by public notice prescribe such temporary rules to be observed by the public or by any person or class of persons as may be deemed necessary to prevent the outbreak of such disease or spread thereof.

Power to
take mea-
sures to
check epi-
demic
diseases ;

30. (1) In the event of epidemic outbreaks of dangerous diseases the Director of Health Services shall assist a Local Authority, as best as possible, with such staff, medicine, disinfectants, equipments and other facilities as the Local Authority may ask for, and the expenses for such assistance shall be recoverable from the Local Authority.

Director of
Health
Service to
assist Local
Autho-
rities :

PROVIDED THAT the supply of lymph and vaccines for the purpose of immunisation shall be free of charge.

(2) The Director of Health Services may also depute such staff as he may consider necessary for undertaking and supervising anti-epidemic work in collaboration with the Local Authority.

31. In the event of any local area or part thereof being affected or threatened with an outbreak of cholera or any waterborne disease or if any public source of water supply is contaminated or is subject to imminent risk of contamination by reason of unsatisfactory construction, location, operation or maintenance, the Director of Health

Power of
Director of
Health Ser-
vices
regarding
urgent

supply of water ; Services, if he is of opinion that speedy remedy or immediate prevention is necessary, may by order direct the authority responsible for the supply of water to take such measures within such time as may be specified in the order and the authority concerned shall take action accordingly.

Power of Director of Health Services, 32. The Director of Health Services may, with the approval of the State Government and subject to such instructions from the Government of India in this behalf, take steps for

regarding inter-State movement (1) prevention of inter-State movement of persons and goods to check the spread of infection to and from the State

Within ports, railways, cantonments & such areas under Government of India, (2) provision of medical relief and public health measures for ports, railways, cantonments and other areas under the control of Government of India

Influx of persons from other places: (3) prevention of influx of persons and import of articles from any foreign country likely to cause or spread infection.

Supply of lymph and vaccine : 33. The Director of Health Services may make adequate arrangements for the supply of lymph and vaccines for immunisation against dangerous diseases to the Local Authorities, public organisations and registered medical practitioners, or to any mining, plantation or business concern or any State Government or the Government of India on such terms and conditions as the State Government may prescribe.

Assistance of local officers ; 34. The executive and police officers of the district and local area shall co-operate with and assist the Health Officer and the Director of Health Services in connection with the emergency medical relief and preventive health measures.

C. Other Diseases.

Government may declare other notifiable diseases : 35. Government may, by notification, declare that the incidence of diseases, known as Beri-Beri, Epidemic Dropsy, and scurvy and such other diseases as the Government may think necessary, shall be reported by the persons specified in Section 8 to the Health Officer or the nearest member of the Health Services of the Government or Local Authority.

36. (1) On receipt of information of a person suffering from a disease specified in section 35, the Health Officer shall, either himself or by a competent person duly authorised by him

(a) make a thorough investigation about the cause or causes leading to the incidence of the disease,

and

(b) take such preventive measures as may be considered necessary to check incidence of more cases.

(2) The Health Officer shall make or cause to be made further investigation on such lines as he may consider necessary to determine the main source or cause of the disease and take any other measures to prevent its recurrence.

37. The State Government may, from time to time, make rules for carrying out the purposes of this chapter and in particular for

Health Officer to take action in case of Beri-Ber epidemic dropsy and scurvy :

Rules :

(1) the duties and functions of the Local Authority and the Health Officer and other staff of the Medical Relief and Public Health Services of the Local Authority

(2) the duties and functions of the Director of Health Services and the staff of the State Health Services

(3) notification of dangerous diseases

(4) power of entry, investigation and other action in case of dangerous diseases

(5) manner of isolation, segregation and immunisation

(6) restrictions regarding occupation, work, gathering and infected clothings, articles, houses, places, water and areas

(7) recovery of expenses from the Local Authority, owners or occupiers of houses and premises, firms, business concerns or private organisations, as the case may be

(8) payment of compensation for loss or damages arising from any action under this chapter.

CHAPTER IX

Vaccination

Operation
of this
Chapter ;

1. (1) This Chapter shall be operative from such date or dates and in respect of such area or areas as the State Government may declare by notification in the official gazette.

(2) The term 'vaccination' in this Chapter indicates both primary and re-vaccination.

Local
Authority
to provide
Vaccina-
tion
centres and
Public
Vacci-
nators :

2. The Local Authority of any area notified under section 1 shall make adequate arrangements to the satisfaction of the Director of Health Services of the vaccination and revaccination of all persons within the area under its jurisdiction and in particular shall—

(a) establish Vaccination Centres in adequate number and at suitable places.

(b) employ sufficient number of Public Vaccinators and other staff for work in the Vaccination Centres and for itinerant service in the houses of inhabitants, in public or private offices or business houses, factories, workshops and like places.

In default
Government
to provide the
arrange-
ments :

3. If the Local Authority fail to make the arrangements required under section 2, the State Government may direct the Director of Health Services to undertake these arrangements, and may also direct that the expenditure incurred or any portion of it shall be charged on the Local Authority concerned.

Hospitals
and other
places to be
Vacci-
nation
Centres
and some
Health
staff to be
Public
Vacci-
nators :

4. In addition to the arrangements made by any Local Authority or the Director of Health Services under section 2 or section 3, as the case may be, vaccination shall be performed in such hospitals, dispensaries, Health organisations and Health Centres as the State Government may declare to be public vaccination centres and also by the Mobile Medical Units, Sanitary Inspectors and Health Assistants employed by the Government, who shall be deemed to be Public Vaccinators working in any area within the State.

Superin-
tendent &
Assistant

5. (1) The State Government may declare any officer of the Directorate of Health Services of the Government or Local Authority as the Superin-

tendent of Vaccination having jurisdiction over the district or any municipality, or any other areas as may be specified in the declaration.

Superin-
tendants of
Vaccina-
tion :

(2) (a) The State Government may also declare one or more persons of the Directorate of Health Services or of the Local Authority to be Assistant Superintendents of Vaccination having jurisdiction over such area or areas as may be specified in the declaration.

(b) The Assistant Superintendent shall exercise such powers and functions under this Chapter as may be delegated to him by the Superintendent of Vaccination.

6. Vaccination at the Vaccination Centres shall be free of charge and for vaccination at any place other than the Vaccination Centres, fees may be levied at such rates as may be determined by the Government.

Free vacci-
nation at
Vaccina-
tion Cen-
tres and
fees payable
for vaccl-
nation
elsewhere :

7. All vaccinations shall be performed with vaccine lymph used for the development of protective immunity against small pox in the person so vaccinated.

Use of
Vaccine
lymph for
protection
& immu-
nity
against
small pox :

8. (1) The parent or guardian of every child born in any local area shall within 6 months of the birth of such child, and the parent or guardian of every unprotected child upto the age of 17 years, whether residing or brought to reside, either temporarily or permanently in the local area, shall within one month after such child's arrival in such place, take it or cause it to be taken to a Vaccination Centre to be vaccinated or shall, within such period as aforesaid, cause it to be vaccinated by a registered medical practitioner or Public Vaccinator.

Duty of
parent or
guardian
for primary
vaccination
of every
child :

(2) If the child as aforesaid has not been vaccinated within the specified period, the Superintendent of Vaccination shall serve a notice on the parent or guardian requiring him within 15 days from the date of service of the notice, to take such child or or cause such child to be taken to a public vaccination centre to be vaccinated or to be vaccinated by a registered medical practitioner or a Public Vaccinator in the house of the parent or guardian within the local area on payment of such fees as the Government may prescribe.

Superin-
tendent of
Vaccina-
tion to
serve notice
on parent
or guardian
of unpro-
tected
child :

Postpone-
ment of
vaccinat-
ion :

9. If the Public Vaccinator finds any child in a state unfit for vaccination, he shall deliver to its parent or guardian a certificate to that effect and such certificate shall in the first instance remain in force for one month, and if after one month, the child is still unfit for vaccination, the certificate may be renewed for a further period as may be recommended by a registered medical practitioner subject to the approval of the Superintendent of Vaccination.

Inspection
of result of
vaccina-
tion :

10. (1) The parent or guardian of every child who has been vaccinated shall take the child or cause it to be taken to a Public Vaccination Centre for the inspection of the result of vaccination or get the child inspected at his own house by the Public Vaccinator on payment of such fee as may be prescribed by the Government.

Certificate
of success-
ful vacci-
nation :

(2) If on inspection of any vaccinated child the Public Vaccinator is satisfied that the vaccination has been successful in 2 or more insertions, he shall give a certificate of successful vaccination in the prescribed form, and such child shall thereafter be deemed to be protected.

Repeat
vaccina-
tion :

(3) When as a result of inspection under sub-section (1) it is ascertained that the vaccination has been unsuccessful, the parent or guardian shall cause the child to be again vaccinated forthwith or within one month from the date of inspection and subsequently inspected in the manner aforesaid.

(4) The operation of primary vaccination as prescribed in sub-section (3) may be repeated after lapse of another month.

Super-
intendent
to serve
notice for
vacci-
nation of
unprotect-
ed person :

11. The Superintendent of Vaccination or any Assistant Superintendent may at any time inspect the vaccination of any child or person whether performed by a public vaccinator or medical practitioner and may, subject to the provisions of section 10, if he thinks fit, direct that such child or person be forthwith again vaccinated.

Certificate
for in-
susceptible
to vacci-
nation :

12. (1) If the Superintendent of Vaccination is satisfied that a child

(a) has already had small-pox. or

(b) has been three times unsuccessfully vaccinated, he shall deliver, in either case, in the manner prescribed in section 10, to the parent or guardian of such child a certificate in the prescribed form and the parent or guardian shall not thenceforth be required to cause the child to be vaccinated again in case of (a) and within 12 months of the last unsuccessful vaccination in case of (b).

(2) If after 12 months the child is again found to be insusceptible of successful vaccination on three successive operations, a certificate to that effect shall be given to the parent or guardian of the child, and the child shall not be required to be vaccinated again.

13. (1) Every unprotected person of 18 years of age or over shall be served with a notice by the Superintendent of Vaccination requiring him within 15 days after the service of the notice to submit himself to a public vaccinator or a registered medical practitioner to be vaccinated and every such person shall, within the said period get himself vaccinated.

Super-
intendent
of Vacci-
nation
may
inspect
vaccina-
tion
any child
or person :

(2) The provision of sections 9 to 12 shall apply, *mutatis mutandis*, to the case of an unprotected person.

Provision
applicable
to unpros-
ected per-
sons :

14. (1) On the completion of a period of 5 years from the date of successful primary vaccination under the foregoing sections 8 to 13, and within three months of the completion of the said period, every such child or person shall be taken or shall submit himself, as the case may be, to a Vaccination Centre or a Public Vaccinator or registered medical practitioner for the purpose of re-vaccination in the prescribed manner.

Compuls-
ory re-vacc-
ination af-
ter 5 years
& at inter-
vals of 10
years :

(2) Every child or person shall be taken or shall submit himself, as the case may be, to a Vaccination Centre or a Public Vaccinator or registered medical practitioner, to be re-vaccinated at intervals of 10-years following the re-vaccination under subsection (1).

15. Notwithstanding anything contained in section 12 and in section 14, the Superintendent of Vaccination may, in the event of an outbreak of small-pox, direct any child or person to be forthwith re-vaccinated.

Re-vaccina-
tion in the
event of
outbreak of
small-pox ;

16. Every owner or occupier of a house, premises, boat, vessel or public vehicle shall allow the Superintendent of Vaccination or any person authorised by him or a Public Vaccinator to have access thereto for the purpose of ascertaining whether the inmates are protected or revaccinated or not on such notice as may be reasonable.

Inspection
& detec-
tion of un-
protected
child or
person :

PROVIDED THAT whenever it is necessary to ascertain whether a woman is or is not protected or revaccinated, the investigation shall be conducted in the presence of another woman.

Magistrate to issue order for vaccination of unprotected child or person :

17. (1) On the complaint of the Superintendent of Vaccination, a Magistrate (not below Second Class) may direct.

- (i) the parent or guardian of any child to produce before him any unprotected child, or
 - (ii) any unprotected person to appear before him, for the purpose of inspection, and if on inspection the Magistrate is of opinion that the unprotected child or person should be forthwith vaccinated, he shall order the child to be taken to or the person to attend the nearest public Vaccination Centre and be vaccinated within a period not exceeding 7 days.
- (2) If on the expiry of the time appointed by the Magistrate the child or the person shall not have been vaccinated or is not certified by a registered medical practitioner to be unfit to be vaccinated, unless there is some reasonable ground for such omission to carry out the order of the Magistrate, the Magistrate may direct that the said child or the person be vaccinated in his presence and may in addition impose a fine on the parent or guardian or the person concerned.

Magistrate to issue order for re-vaccination :

18. The provisions of section 17 shall apply, mutatis mutandis, to the parent or guardian of any child and to any person violating the provisions for compulsory re-vaccination under section 14.

Production and sale of Vaccine lymph :

19. (1) The State Government, and with the approval of the Government, a Local Authority may undertake the production, storage, distribution and sale of vaccine lymph in accordance with the rules framed under the Drugs Act.
- (2) The State Government may, from time to time, fix the price of sale of such vaccine lymph in consideration of the cost of production and incidental expenses.

Prohibition of inoculation with variolous matter :

20. (1) Inoculation, that is to say any operation performed with the object of producing the disease of small-pox in any person by means of variolous matter, either maliciously or for the purpose of immunisation, shall be prohibited and no person shall perform such inoculation either on self or on any other person,
- (2) Any person who has undergone such inoculation under circumstances beyond his control shall

remain in isolation for a period of not less than 40 days from the date of the operation or until such time as he has been certified by a registered medical practitioner that he is no longer likely to infect any other person with small-pox by contact or near approach.

21. The State Government may from time to time make rules generally for the purposes of this Chapter and in particular for—

Government to make Rule :

- (1) establishment and working of Vaccination Centres.
- (2) duties, qualifications and appointment of public vaccinators.
- (3) manner and procedure for vaccination and re-vaccination and inspection of results.
- (4) scale of fees for vaccination at places other than vaccination centres.
- (5) free vaccination and mass vaccination.
- (6) powers and duties of the Superintendent of Vaccination and delegation of powers.
- (7) issue of notices for primary vaccination and re-vaccination.
- (8) issue of certificates for postponement of vaccination, successful primary vaccination, insusceptibility to vaccination and for re-vaccination.
- (9) maintenance of registers for different purposes including registers for unprotected children and persons.
- (10) procedure for vaccination of unprotected children and persons removed to another locality.
- (11) manufacture, storage, issue and sale of vaccine lymph.
- (12) returns and reports on any of the above and other matters.

CHAPTER X

School Health Services

School
Health
Services :

1. School Health Services may include
 - (a) medical examination of school children and teachers,
 - (b) correction of defects found on such examination,
 - (c) institutional and domiciliary services for personal hygiene, cleanliness, cure of bad habits, prevention of sickness, physical culture and other measures for promotion of health,
 - (d) improvement of nutrition of the school children,
 - (e) health education, and
 - (f) improvement of sanitary conditions of the school and its immediate neighbourhood.

Provision
of School
Health
Services :

2. The State Government, and with the approval of the State Government, the Local Authority, may provide for School Health Services for the benefit and care of the health of the school going boys and girls, and for this purpose may appoint such member of School Medical Officers, School Nurses and other staff as may be required from time to time.

PROVIDED THAT the State Government may direct any municipality having a population of one lakh or over to provide for School Health Services on such scale and of such nature as may be specified in the order.

Power of
Director of
Health
Services
for Control
& Super-
vision :

3. The Director of Health Services and any officer authorised by him shall have the power of control and supervision over all School Health Services in the State.

School
Health
work in
rural areas;

4. (1) (a) In areas where Thana or Rural Health Centres have been established, the Medical Officers of Health (or any authorised medical officer) of the Health Centre shall be primarily responsible for the School Health Services within his area.
- (b) Where no Thana or Rural Health Centre has been established the local authorities shall provide, as far as possible, for medical inspection of school children and improvement of the sanitation the school and its neighbourhood.

- (2) In municipal areas the Municipal Health Officers shall be responsible for the School Health work.

School
Health
work in
urban
areas :

5. The State Government may make suitable grants-in-aid to Local Authorities for the provision of School Health Services on the approved lines.

Govern-
ment aid
for provi-
sion of
School
Health
Services :

6. The School Medical Officer appointed under section 2 shall undertake medical inspection of all school children at periodical intervals and examine their physical conditions, particularly in respect of any defect or of any indications of probable ailment, and shall report the result of such examination to the parents or guardians of such children with such advice as he may deem proper.

Medical
inspection
of school
children :

7. If any student is found to be suffering from an infectious disease the Medical Officer shall direct that the patient be immediately kept in isolation at his home, if that is possible, or removed to a hospital and shall take such other measures as may appear to him necessary for the prevention of spread of the disease.

In case of
student
suffering
from infec-
tious
disease :

8. The State Government or the Local Authority, as the case may be, shall arrange for the supply of drugs and appliances, including spectacles, for treatment of minor ailments of the students found defective in health or eyesight either free of cost or on payment of such charges as may be determined by the Government from time to time.

Supply of
drugs &
spectacles..

9. (1) The authorities of a school or a group of schools may, with assistance from Government or Local Authority, established a School Health Clinic for the purposes of section 6, 7 and 8 and also for outdoor treatment of ailing students.
- (2) Such School Health Clinics shall be under the control and supervision of the Directorate of Health Services.

School
Health
Clinics :

10. The provisions of sections 6 to 9 may, as far as may be, apply to the teachers, clerks and other employees of a school.

Provision
for teachers-
and others:

11. (1) The school authorities shall arrange for, as far as practicable, with or without contribution from parents or guardians and with suitable grant-in aid from the Government or Local Authority, supply

Mid-day
tiffin :

of wholesome nutritious mid-day tiffin and/or milk to all school children on all days the schools are open.

- (2) The State Government or the Local Authority shall make suitable grant-in-aid for the purpose.
- (3) The nutritional standard of such mid-day tiffins may be prescribed by the Director of Health Services from time to time.

Water supply & sanitary conveniences :

12. The School authorities shall be responsible

- (1) for supply of wholesome and potable water in adequate quantity for use of the students and teachers and for other sanitary conveniences in such number as may be required for the purpose,
- (2) for sufficient playgrounds with arrangement for games, recreation and physical culture,
- (3) for cleansing of latrines, urinals, drains, playgrounds and other places.

Training of teachers in School Hygiene :

13. In consultation with the Health Department the Education Department shall arrange for training of one or more teachers of every school of final grade in the principles of personal hygiene, prevention of diseases and sanitation, and teachers so trained may be required to perform such duties on such additional remuneration as the Education Department may prescribe.

Rules :

14. The State Government may from time to time make rules generally for the carrying out of the purposes of this Chapter and in particular for—

- (1) the number, qualification and appointment of staff for school health services,
- (2) the nature and manner of performance of the duties of the School Medical Officers, and submission of returns and reports of school health work,
- (3) the forms and registers to be used,
- (4) supply of drugs and appliances and the scale of fees to be charged therefor,
- (5) supply of water, sanitary conveniences and provision for light and ventilation,
- (6) type-plans for schools and the accommodation of students in each class.
- (7) training of teachers in school health work.

CHAPTER XI

(A) Maternity and Child Welfare Services

1. Maternity and Child Welfare Services shall mean any of the following services for the promotion of health of mothers and children—

Maternity & Child Welfare Services :

- (1) prenatal and postnatal care of mothers,
- (2) medical help to mothers during child birth and confinement.
- (3) domiciliary midwifery and nursing services,
- (4) care of infants and children,
- (5) family planning measures,
- (6) training of Lady Health Visitors. Midwives, Dais and other personnel,

and may include Maternity Home, Maternity & Child Welfare Clinic or Centre, Dispensary for gynaecological and/or general diseases, nursery, creche, orphanage and place for accommodation of crippled children.

EXPLANATION ;

- (a) Maternity Home means an establishment where women are usually received and accommodated for the purpose of child-birth and confinement and antenatal and post-natal care in connection with child-birth.
- (b) Maternity & Child Welfare Clinic means an establishment where expectant and nursing mothers and infants and children are examined and attended to for the purpose of pre-natal and post-natal care of mothers, for promotion of health and for freedom from sickness and unfavourable conditions of the mothers and children.
- (c) Maternity & Child Welfare Centre generally means a combination of a Maternity Clinic with a Maternity Home.

2. The State Government and, with the approval of the State Government, a Local Authority or private organisation, may provide, extend and improve Maternity and Child Welfare Services at any place within the State for promoting the health of mothers and children and such

Maternity & Child Welfare Centres :

Maternity and Child Welfare Services may include, according to local needs and circumstances, any or all such institutions as are mentioned in section / . .

PROVIDED THAT—

- (a) where a Health Centre has been established, the Maternity & Child Welfare Centre shall be attached to the Health Centre as an integral part thereof.

- (b) A Maternity & Child Welfare Centre or Clinic may be attached to a hospital or dispensary.

3. Where a Local Authority or private organisation establishes or maintains any maternity & child welfare institution for such work as are mentioned in section 1, the State Government shall make, to the Local Authority or private organisation,

- (i) a grant-in-aid, equivalent to 50% of the total capital expenditure for the cost of land, buildings including staff quarters and of equipments, and appliances ;
and
(ii) a recurring grant-in-aid towards the cost of the employment of the Lady Health Visitor and one Midwife ;

PROVIDED THAT the Local Authority or the private organisation undertakes to meet the remaining capital cost and recurring annual expenditure.

EXPLANATION:

A private organisation shall, for the purpose of this Chapter, include a registered society, a missionary society, factory or business concern and any other organisation or institution as may be approved by the State Government in this behalf.

4. (1) A Maternity & Child Welfare Centre or Clinic shall be placed in charge of a qualified medical officer, either wholetime or parttime, and he shall have control over the establishment of the Centre or Clinic, including the Lady Health Visitor, and its establishment shall include besides the Medical Officer and the Lady Health Visitor, one or more qualified Midwives, trained Dais and other workers as may be required from time to time for both institutional and domiciliary services.

4. (2) A Maternity & Child Welfare Centre or Clinic shall not be established or operated if the services of a qualified medical officer, preferably wholetime, is not available either free or on payment, for the work of the Centre or Clinic.

5. If approved by the State Government a Maternity & Child Welfare Centre may include and provide for domiciliary nursing services, preferably by duly qualified personnel, to the people of the locality.

6. A Family Planning Clinic may be attached to a Maternity & Child Welfare Centre or Clinic provided that the Lady Health Visitor or the Midwife of such Centre or Clinic has the necessary training.

7. The authorities of a Maternity & Child Welfare Centre may be required to arrange for the training of indigenous Dais, in accordance with directions issued by the Director of Health Services from time to time.

8. A Local Authority or a private organisation may, with the approval of the Director of Health Services, establish a Maternity Home for the purpose of accommodation of maternity cases. Each such Maternity Home shall be provided with a Clinic for examination of and service to expectant mothers and with such number of medical officers or lady doctors, midwives, nurses and dais, and such equipments, medicines and appliances as may be prescribed by the Government.

9. Where maternity beds are provided in a Maternity & Child Welfare Centre or Home, the Authorities concerned may in their discretion levy fees for cases of delivery and confinement on such scale as may be fixed by the State Government.

10. The wholetime Medical Officer, Lady Health Visitor, Midwife, Dai, Nurse and any member of the staff of a Maternity & Child Welfare Centre or Clinic shall not accept any personal remuneration for services rendered by them at the time of delivery and during the period of confinement at the house of the mothers, but shall realise, on giving proper receipt, fees on such scales as may be fixed by Government or the Local Authority and shall credit in full all sums thus realised to the fund of the Authority of the Maternity & Child Welfare Centre or Clinic.

11. The Director of Health Services and any officer authorised by him shall have the power to inspect, control and supervise all Maternity & Child Welfare Service in the State and to give necessary instructions for improvement in the working of any such services and institutions

Services of a Medical Officer to be available :

Provision for Domiciliary Nursing Services :

Provision for Family Planning Clinic :

Training of indigenous Dais :

Maternity Homes for delivery & confinement period I :

Levy of fees for maternity beds :

No fees payable to staff of Maternity & Child Welfare :

Power of the Director of Health Services for control

Maternity & Child Welfare Centres may be attached to Health Centres, Hospitals or Dispensaries :

Government aid to Local Authorities & organisations for Maternity & Child Welfare Centres :

Staff for Maternity Centres :

& supervision : and the person or persons in charge thereof shall, as far as practicable, comply with such instructions.

Government may take over Maternity & Child Welfare Centre not working properly :

12. (1) If for any reason the Local Authority or private organisation is unable to maintain the Maternity & Child Welfare Centre, Clinic or Home in proper working condition to the satisfaction of the Government, the Government may, after giving due notice to the Local Authority or private organisation, take over the Maternity & Child Welfare Centre, Clinic or Home with all movable and immovable assets and may continue to run the Centre, Clinic or Home as if it had been established by the Government itself, or if necessary may merge the same with the State Health Services, and no person shall thereafter have any claim on the institution, except for such liabilities as the Government may, after due examination, decide to accept at the time of taking over.

Retransfer of Maternity & Child Welfare Centre from Government to local organisation :

(2) The Government may return a Maternity & Child Welfare Centre, Clinic or Home to the Local Authority or private organisation on such terms and conditions as the Government may decide, provided that the Government is satisfied about the financial and administrative capability of the Local Authority or private organisation for proper maintenance and working of the Centre, Clinic or Home.

Rules for administration :

13. All Maternity & Child Welfare Centres, Clinics and Maternity Home shall be administered and regulated in accordance with the rules prescribed by the Government and such directions as may be issued from time to time by the Director of Health Services.

B. Institutions for care of Children :

Institution for care of children :

14. The State Government, and with the approval of the State Government, a Local Authority or private organisation, may establish or maintain nurseries, creches, orphanages and houses for crippled children for accommodation and care of infants and children upto the age of 15.

Administration :

15. Each such institution referred to in section 14, shall provide accommodation and medical care on such standards as may be prescribed by the Director of Health Services from time to time and shall be placed in charge of a Superintendent or Matron, whose appointment shall be subject to the approval of the Director of Health Services. All such institutions shall have the requisite sanitary conveniences, staff and equipments for adequate medical and health services, for games and recreation and for the education of the children.

16. Orphan infants and children not above the age of 15 years may be admitted in a Nursery or Orphanage on the application of their legal guardians or relations, on payment of such charges, unless exempted in individual cases by the authorities of such Nursery or Orphanage, as may be prescribed by the Government.

Admission :

17. (1) The authorities of factories shall consult the Director of Health Services in the establishment and management of creches under the provisions of the Factories Acts and the rules thereunder, and no creche shall be established without prior approval of the Director of Health Services.

Powers of Director of Health Services :

(2) The Director of Health Services or any officer empowered by him in this behalf shall have the power to inspect and supervise the working of such creches and his recommendations shall be given due consideration by the appropriate authority.

18. The State Government may make rules generally for the carrying out of the purposes of this chapter and in particular for—

Rules :

- (1) establishment, administration and working of any Maternity or Child Welfare institution,
- (2) appointment and qualification of the staff for any such institution and their duties,
- (3) training of personnel,
- (4) scale of fees to be levied or charged at any institution or for domiciliary service,
- (5) taking over from and return of any institution to the Local Authority or private organisation,
- (6) standards of accommodation, water supply and sanitary conveniences in any such institution.

CHAPTER XII

Control and Prevention of Leprosy

Provisions supplementary to Central Leprosy Act :

State Government and Local Authority to provide organisation & institutions :

1. These provisions are supplementary to those under the Central Leprosy Act and shall not be interpreted to mean or indicate anything contrary to or contravening the provisions of the Central Leprosy Act and the rules, orders and regulations thereunder.

2. (1) The State Government and, when directed by the State Government, a Local Authority, shall establish and maintain adequate Leprosy organisations and institutions for survey, detection, registration, examination, treatment and after-care of persons suffering or suspected to be suffering or had suffered from leprosy, as the case may be, and shall provide, according to local needs and conditions, suitable accommodation for leprosy cases for such purpose.

EXPLANATION :

(1) Leprosy organisations or institutions" may include a Leprosy Colony, Hospital, Asylum, Home, Centre, Clinic (which may be stationary or mobile or both) and all such organisations and institutions by whatever name they are designated.

PROVIDED THAT

(1) The State Government shall provide one or more State Leprosy Hospitals or Asylums at suitable places within the State for accommodation and treatment of infective leprosy cases.

(2) In any district where the incidence of leprosy is high, there shall be one or more Leprosy Hospitals, Centres and/or Clinics as may be necessary on such district and such institutions may be attached to the hospitals or dispensaries of the Local Authorities or of the State Health Services.

(2) The State Government may permit the establishment or maintenance of such institutions for leprosy cases by missionary societies and other public organisations.

Registration, examination, treatment

3. (1) Every person who is suffering or is suspected to be suffering or had suffered from leprosy shall register himself or herself with the medical officer

of the nearest hospital or dispensary or a leprosy institution of the State Government or the Local Authority and shall, if so required by the medical officer, submit himself or herself for examination and treatment (which shall be available to the person free of charge), in such manner as may be prescribed by the Government.

and isolation I :

(2) If on examination the person is found to be in the infective stage of the disease, the medical officer shall direct the patient to remain in isolation either in his or her own house in accordance with the prescribed rules, if that is possible, or in any other place provided by the Government, Local Authority or any organisation for the accommodation and treatment of persons suffering from leprosy.

(3) The parent or guardian of any child (who has not attained the age of 18 years) suffering or suspected to be suffering from leprosy shall be responsible for the registration, examination, isolation and treatment of such child.

(4) In all cases of home isolation care shall be taken to avoid contact of the infective person with other members of the family, particularly with the children.

4. The State Government may, after consultation with the Government of India, undertake a comprehensive Anti-Leprosy Scheme for the whole or any part of the State with such contribution from the Government of India as the Government of India may make for the purpose.

Collaboration of the Government of India :

5. (1) In collaboration with the Government of India and other States, the State Government may undertake the establishment and management of a Regional Leprosy Home or Refuge for accommodation and treatment of vagrant leprosy cases, both infective and non-infective, resident within the region, which may consist of one or more States.

Regional Leprosy Home or Refuge :

(2) Infective leprosy patients belonging to any other State may be transferred, after previous consultation with the Government of that State, to any institution of that State Government, or such patients may be accommodated in a Regional Leprosy Home or Refuge.

Leprosy patients of other States :

6. The State Government shall have the power to regulate and control the treatment of leprosy by drugs and methods under any system of Medicine.

Treatment of leprosy by any System of Medicine :

prohibition
of entry of
infective
persons:

7. The State Government may in the interest of public health, prohibit the entry, with the approval of the Government of India, of any person suffering from the infective stage of leprosy into the State.

restrict-
ions on
occupations:

8. The State Government may prescribe regulations prohibiting or restricting employment in specified avocations of persons suffering from leprosy and may prescribe the conditions under which non-infective persons may be permitted to work.

training of
personnel
and research
work:

9. The State Government may arrange for the training medical and other personnel required for anti-leprosy work in any institution within or outside the State and may establish institutions for research work on leprosy.

leprosy
advisory
committee
for the
State:

10. Subject to the provisions of Chapter I, section 6, the State Government may constitute a Leprosy Advisory Committee for consideration and co-ordination of anti-leprosy measures and to advise the State Government on all matters in connection with anti-leprosy work.

rules:

11. The State Government may prescribe rules generally for the purposes of this Chapter and in particular for—

- (1) establishment, administration and working of any leprosy institution or organisation by any authority or association and supervision and control thereof,
- (2) appointment and qualification of the staff required for any such institution or organisation and their duties and responsibilities,
- (3) survey, detection, registration, isolation at home or in any institution and treatment,
- (4) scale of fees and charges for different purposes,
- (5) accommodation of vagrant and other leprosy cases in different institutions and employment in occupations,
- (6) regulation and control of treatment of leprosy by any system of Medicine.

CHAPTER XIII

Control and Prevention of Tuberculosis

1. (1) The State Government and, with the approval of the Government, a Local Authority, may, as far as possible, arrange for the survey, detection, examination, accommodation, care and treatment of persons suffering from or suspected to be suffering from Tuberculosis and may, in association with any Tuberculosis Hospital, establish After-care Colonies for accommodation of the convalescents and of patients no longer requiring hospitalisation, to ensure their complete recovery and fitness to perform useful work and regulated physical exercise under medical supervision.

Tuberculo-
sis Hospi-
tals:

After-care
Homes and
Colonies:

- (2) Tuberculosis Homes for incurables, that is to say patients so far advanced in the disease of Tuberculosis of the lungs that cure by treatment is doubtful, may be provided by the State Government or a Local Authority or any public organisation for the provision of such care as will make the final phase of sickness reasonably comfortable for the patients.

Homes for
incurables:

- (3) The State Government may establish and encourage the establishment of Tuberculosis Clinics at different places of the State for examination and treatment of persons suffering or suspected to be suffering from Tuberculosis at such Clinics or through a system of domiciliary treatment provided by such Clinics.

Tuberculo-
sis Clinics:

PROVIDED THAT

- (i) the State Government shall provide one or more State Tuberculosis Hospitals at suitable places within the State for accommodation and treatment of persons suffering from Tuberculosis,
- (ii) there shall be a Tuberculosis Clinic attached to the District and Subdivisional Health organisations of the State Health Services,
- (iii) the diagnostic facilities may be made available to private medical practitioners either free or on payment of such fees as the Government may prescribe.

Local Tuberculosis organisations and institutions :

2. (1) The State Government may permit the establishment or maintenance, by a Local Authority or factory, mining or plantation authority or a public organisation or society, of institutions and organisations for the examination, accommodation, care and treatment of persons suffering or suspected to be suffering from any form of Tuberculosis. Such institutions and organisations may include a hospital, clinic (stationary or mobile), asylum, sanatorium, after-care home, home for incurables and all such institutions and organisations by whatever name they may be designated.
- (2) The working and management of all such institutions and organisations shall be in accordance with the rules prescribed by the State Government and instructions issued by the Director of Health Services from time to time.

Government grants in aid :

3. The State Government may make, in suitable cases, grants-in-aid, both initial and recurring, to any approved authority or recognised public organisation or society for the purpose of control and prevention of Tuberculosis.

Detection of person suffering from Tuberculosis :

4. (1) A Tuberculosis Clinic may provide for treatment of and for detection of contacts of persons suffering from Tuberculosis and may subject them to periodical examination in order to find out infected and infective cases and to deal with them in such manner as to check the spread of the disease.

Isolation of Tuberculosis patients

- (2) Persons found to be in infective stage of Tuberculosis may be directed to remain in strict home isolation, if that is possible, or to take such other precaution as may be advised by the Medical Officers of the Clinic and domiciliary services or to get themselves admitted in a Tuberculosis Hospital when accommodation is available. Such directions may also be given by the Health Officer or any medical officer of health of the State Health Services.

Control of Sanatoria :

5. No building shall be used or let out to be used as a Tuberculosis Sanatorium without the permission of the Local Authority on the recommendation of the Health Officer or the Medical Officer of Health as to its suitability for the purpose particularly in respect of its location, space, light, ventilation, water-supply, drainage and sanitary conveniences.

EXPLANATION: A sanatorium means any place for accommodation and treatment of Tuberculosis patients or convalescents and which is occupied at any time by more than 5 such persons.

Existing Sanatoria :

6. If any sanatorium existing on the date of commencement of this Act is not certified by the Health Officer or the Medical Officer of Health as suitable for accommodation and treatment of Tuberculosis patients, the Local Authority shall have the power to close down such sanatorium.

An appeal against the decision of the Local Authority shall lie with the Director of Health Services whose decision shall be final.

7. As a prophylactic measure against the incidence of Tuberculosis the State Government, and under directions from the Government, a Local Authority, shall take steps for the immunisation of the people not infected with the disease, by administration of BCG Vaccine through the agency of Tuberculosis Clinics, Health Centres or Hospitals or by staff specially employed for this purpose.

Prophylactic BCG vaccination :

8. The Government may regulate the sale and prices of drugs and appliances required for the diagnosis and treatment of Tuberculosis.

Regulating prices of drugs and films :

9. On the report of a registered medical practitioner, the Headmaster or Principal of any school or college or any such institution may direct a student suffering from Tuberculosis in the infectious stage not to attend the School or College unless such precautions as may be recommended by the Medical Officer are taken or until he is declared to be non-infective.

Prohibition to attend school :

10. Person suffering from Tuberculosis in the infectious stage and likely to infect others shall not be allowed to work as teachers, cooks, peons, or bearers in any office, library, workshop or places where foodstuffs are made or sold or where many people congregate. Any such employee may be granted medical leave by the employer for a maximum period of two years to undertake treatment and to get himself cured and become non-infective.

Prohibition of certain avocations :

11. The Director of Health Services and any officer authorised by him shall have power to inspect, administer and superintend the operation of all anti-tuberculosis measures under this Chapter.

Powers of the Director of Health Services for control & supervision :

12. The State Government may prescribe rules generally for the purposes of this Chapter and in particular for—

Rules :

- (1) establishment, administration and working of any institution or organisation for the control and prevention of Tuberculosis by a authority or

association and the supervision and control thereof,

- (2) appointment and qualification of the staff required for any such institution or organisation and their duties and responsibilities,
- (3) detection, examination, isolation and treatment at home or in any institution,
- (4) scale of fees and charges for different purposes,
- (5) administration of preventive BCG Vaccination,
- (6) restriction on avocations and movement of Tuberculosis patients,
- (7) regulation of prices of drugs and appliances.

CHAPTER XIV

Venereal Diseases and Prostitution

1. The State Government may, and with the approval of the Government, a Local Authority or two or more Local Authorities jointly, provide arrangements including establishment of hospitals, dispensaries or clinics, for diagnosis and treatment of persons suffering or suspected to be suffering from venereal diseases and for the prevention of spread of infection.

Provisions for diagnosis and treatment of venereal diseases ;

PROVIDED THAT—

(i) The State Government shall provide under the State Health Services, one or more Venereal Diseases Clinics, with or without indoor beds at the headquarters of the State and the district and subdivisional headquarters for the above purposes.

(ii) Such clinics may be attached to any other suitable hospitals and dispensaries.

2. (1) The State Government, and with the approval of the Government, a Local Authority, may authorise any registered medical practitioner (hereinafter referred to as a Competent Person) who has the necessary training and qualification, to undertake diagnosis and treatment of venereal diseases on such terms and conditions as the Government may prescribe.

Competent medical practitioners ;

(2) Every Local Authority shall maintain annually a list of such Competent Persons and shall furnish copies of such list to the Director of Health Services through the District Magistrate at the end of each year.

(3) The State Government and, with the approval of the Government, the Local Authority may, for sufficient reasons, after giving due notice and an opportunity to explain, withdraw the authorisation under sub-section (1) and remove his name from the list of Competent Persons.

3. The State Government shall have the power to control and fix the price of any special drugs and appliances required for treatment of persons suffering from venereal diseases.

Prices of Drugs ;

Operation
of Sections
5 and 6 :

4. Sections 5 and 6 shall come into force in such areas and from such dates as may be notified by the State Government in the official Gazette.

Restriction
by persons
other than
enlisted
competent
persons :

5. No person other than a Competent Person enlisted under Section 2 or a medical officer of a hospital, dispensary or clinic of the Government, Local Authority or any public organisation recognised for this purpose shall, for reward or gain, either direct or indirect, in cash or in kind, treat any person for venereal disease or prescribe any remedy therefor, or give any advice in connection with the treatment thereof, whether the advice is given to the person to be treated or through any other person.

Restriction
on adver-
tisement
for remedy
and advice
on treat-
ment :

6. No person other than a Competent Person or the said Medical Officer, shall, by advertisement in any manner or by any public notice or announcement, treat or offer to treat any person for venereal disease or prescribe or offer to treat any person for venereal disease or prescribe or offer to prescribe any remedy therefor or offer to give or give any advice in connection with the diagnosis and treatment of venereal diseases.

EXPLANATION:

An advertisement for the purposes of this Chapter includes any notice, sign, circular, label, wrapper or other document and any announcement made orally or by any means of producing or transmitting light, sound or smoke.

Certificate
of cure and
freedom
from vene-
real
disease :

7. (1) Every Medical Officer of a hospital, dispensary or venereal clinic referred to in Section (1) and every Competent Person shall have the power to examine any person desirous of obtaining a certificate to the effect that he or she is not suffering from a venereal disease or he or she has been cured thereof, and to furnish, after such examination as he may consider necessary, to the said person a certificate to that effect in the prescribed form on payment of such amount of fees payable to the hospital, dispensary, clinic or competent person for the examination and for issue of a certificate.

(2) No such certificate shall be issued by any other medical practitioner.

Notified
Area :

8. Government or the Local Authority may at any time and for any local area or part thereof, altogether prohibit the practice of prostitution and may for this purpose.

(1) declare the limits of such area where prostitution shall be prohibited

(2) order the removal of any brothel and all prostitutes to such place or locality and within such time as may be specified in the order.

9. (1) No person shall practice prostitution or establish a brothel

(a) within the limits of any areas notified under section 8 (1) above, or

(b) within any industrial area

(c) in the vicinity of a school, college, library, temple, mosque, church, prayer ground, public office, park, playground, cinema, theatre, or places of recreation, a railway, steamer or transport station and approaches thereto and such other place as the Government or Local Authority may by order prescribe.

(2) No person, being the owner, lessee or occupier of any house, building, shed, barrack or structure or any premises or any shop, store, lodging house, beauty clinic, message clinic, 'hammams', baths or any such institution, shall permit prostitution in any room, flat or part of such house or premises and other places under his control.

10. The State Government may authorise any Local Authority and any officer or class of officers in the employ of the Government or a Local Authority to enforce provisions of this chapter.

Prohibition
of prosti-
tution in
certain
areas and
places :

Authority
for enforce-
ment :

11. The Director of Health Services and any officer duly authorised by him in this behalf shall have the power to inspect, supervise and control the operation of the measures directed against venereal disease and prostitution.

Control
and super-
vision :

12. The State Government may prescribe rules generally for the purposes of this chapter and in particular for—

Rules :

(1) establishment, working and superintending the management of various institutions, standard methods of examination, manner of providing accommodation and methods of treatment of venereal diseases,

(2) employment, qualification and duties of the staff in such institutions,

(3) authorisation and enlistment of competent persons and removal of name from such list,

- (4) the working hours, confidential nature of reception and treatment, distribution of educative literature including advice and issue of drugs, disinfectants and devices for personal prophylaxis against venereal diseases,
- (5) regulation and fixation of prices of drugs and appliances for prevention and treatment of venereal diseases,
- (6) examination and issue of certificates under Section 7 and the scale of charges for same,
- (7) notification for prevention of prostitution and brothels in specified localities and defining the limits thereof,
- (8) authorisation of officers for the various purposes under this chapter,
- (9) submission of returns, reports and statements.

CHAPTER XV

After-care Homes and Houses for Invalids

1. The State Government and with the approval of Government, a Local Authority, industrial concern or public organisation, may establish and maintain After-care Homes and such institutions for the accommodation and care of convalescents from diseases, including tuberculosis, leprosy, venereal and mental diseases, and Houses for the aged, invalids and other persons who are unfit, unsuitable or undesirable for accommodation with other persons or for earning their livelihood in any vocation of life.

Establishment of After-care Homes and Houses for Invalids:

2. The State Government may prescribe rules for—

Rules :

- (1) the establishment and management of After-care Homes and Houses for Invalids,
- (2) the employment, qualification and duties of the staff required for such institutions,
- (3) the arrangements to be made for reception, accommodation, care and treatment of such persons,
- (4) the arrangements for water supply and sanitary conveniences, hospitalisation, isolation, education and recreational facilities,
- (5) employment of the inmates in useful work and scale of payment of wages for such work,
- (6) hours for visitors to inmates of such institutions,
- (7) discharge of inmates from such institutions.

CHAPTER XVI

Nursing Homes

Nursing Home :	1 Nursing Home means an establishment where persons suffering from illness, injury or infirmity, whether of body or of mind, are usually received and accommodated for the purpose of nursing and treatment, and includes a Maternity Home.
Establishment of Nursing Homes :	2. (1) The State Government, and with the approval of the Government, a Local Authority, may establish and maintain Nursing Homes for medical care of the sick and for welfare of the mothers and children at any place within the State. (2) With the approval of the Government or any authorised officer, any person or group of persons may establish and maintain a private Nursing Home. (3) Where maternity beds are provided in a Nursing Home, the provisions of Chapter XI shall apply in addition to the provisions of this Chapter.
Adequate medical & sanitary provisions:	3. The State Government may by rules prescribe the standards of accommodation, scale and qualifications of medical and nursing staff and adequate sanitary provisions, including lighting and ventilation to be provided in a Nursing Home.
License from Local Authority:	4. No person or group of persons shall establish a Private Nursing Home or any institution of this type except under or in conformity with a license obtained from the Local Authority to be issued on the recommendation of the District Medical Officer of Health or the Health Officer of the local area.
Scale of charge :	5. (a) The Government may fix the scale of charges for the Nursing Homes under its control or under the control of the Local Authority. (b) Such scale of charges for accommodation and other purposes of any Private Nursing Home shall be determined by the management of the Private Nursing Home concerned.
Inspection:	6. Subject to such regulations as may be prescribed by the Government, the District Medical Officer of Health, the Health Officer and any other officer authorised by the

Government may at any time by day or night, with or without notice, enter and inspect a nursing home and he shall be given all facilities for such inspection.

7. The State Government or the Local Authority may order closure of a private Nursing Home at any time if the Government or Local Authority is satisfied on the report of any inspection under Section 6, that the private Nursing Home is not managed in accordance with the rules or terms of the license.	Closure or cancellation of the license :
8. Private Nursing Homes may be required by the State Government to undertake the training of indigenous Dais and Nurses for the local area on such terms and conditions as the Government may prescribe.	Training of dais and nurses :
9. The management of a private Nursing Home may be taken over by the State Government or a Local Authority on such terms and conditions as may be mutually agreed upon or decided by the Government.	Government or Local Authority may take over :
10. The State Government may make rules generally for the purposes of this chapter and in particular for— (1) management of nursing homes, (2) manner of licensing by Local Authority and fees payable for same, (3) regulating inspections and action to be taken on the report of such inspection, (4) training of indigenous dais and Nurses.	Rules :

CHAPTER XVII

Ophthalmic Services.

Provision
of ophthal-
mic ser-
vices :

1. (1) Government shall provide one or more State Eye Hospitals with attached Eye clinics at the headquarters of the State and such hospitals at the District and Subdivisional headquarters shall form part of the District and Subdivisional Health Organisations of the State Health Services.

- (2) An Eye Hospital or Clinic may be attached to any hospital, dispensary or Health Centre.

Mobile Eye
Clinics :

2. (1) Government or a Local Authority may also provide Mobile Eye Clinics.

- (2) The services of the Mobile Eye Clinics may be made available to any factory, mining settlement, plantation or industrial concern on payment of charges on such scale as the Government may determine in each case.

Registra-
tion of
qualified
Ophthal-
mologists,
sight-test-
ing Opti-
cians &
Dispensing
Opticians :

3. Government may arrange for the registration of—

- (1) qualified medical practitioners with special training and experience in the treatment of eye diseases as "Ophthalmologists", authorised to practise treatment of eye diseases and sight testing ;

- (2) "Sight-testing Opticians" with training and experience in sight-testing for testing defects of vision and for supply of spectacles of persons examined by them or on prescription by Ophthalmologists ;

- (3) "Dispensing Opticians" for supply of spectacles on prescriptions of qualified Ophthalmologists.

Qualifica-
tions for
registra-
tion :

4. Government may prescribe from time to time the minimum qualifications, experiences and other particulars of eligibility for registration of Ophthalmologists, sight-testing Opticians and Dispensing Opticians.

Training
of Ophthal-
mologists
& Opti-
cians :

5. Government may arrange for training of Ophthalmologists and Opticians in any teaching institution or hospital or through any recognised association competent to give such training.

6. No person other than a registered Ophthalmologist shall undertake the treatment of eye diseases or perform any sight testing and prescribe glasses for rectification of visual errors, and no person other than a registered Ophthalmologist or sight-testing Optician shall perform any sight-testing or prescribe glasses.

Ophthal-
mological
practice &
sight-test-
ing :

PROVIDED THAT a registered medical practitioner may attend to common and simple affections of the eye and refer all other cases including cases requiring sight testing to a registered Ophthalmologist or Sight-testing Optician as the case may be.

7. No spectacles or eye glasses shall be supplied or repaired by any dispensing optician except on prescription of a registered ophthalmologist or a sight-testing optician. Any optician contravening the provisions of this section shall be liable to cancellation of his registration in addition to other penalties.

Supply and
repair of
eye glasses:

8. The State Government may by regulation prescribe the standards of quality and grades of the lenses used in spectacles and may fix the retail selling prices for different grades and qualities of lenses.

Quality &
prices of
lenses :

9. Spectacles may be supplied free to persons who are certified to be indigent, after local enquiry by the Medical Officer of Health or any officer authorised by him, at the cost of the Government or the Local Authority and to school students on the authority of a general or special order issued by the Government or the Local Authority for the area.

Supply of
eye glasses
to indigent
persons &
school
students:

10. The State Government may prescribe regulations for use and sale of contact lenses and may specify the nature and quality of such lenses and may at any time prohibit the use and sale of such articles.

Contact
lenses :

11. The State Government may prescribe rules generally for the purposes of this chapter and in particular for —

- (1) establishment and management of eye hospitals and clinics, including mobile clinics,
- (2) utilisation of mobile clinics by different organisations,
- (3) qualifications and eligibility for registration as Ophthalmologist, Sight-testing Optician and Dispensing Opticians,
- (4) free supply of spectacles to indigent persons and students,

Govern-
ment may
prescribed
rules for
regulating
various
matters :

- (5) inspection and investigation of the operation of the provisions of this chapter,
- (6) size and colour of internal wall, lighting and other provisions of sight-testing rooms,
- (7) the minimum number and nature of articles to be provided in the chamber of ophthalmologists, ophthalmic opticians or the dispensing opticians,
- (8) manner of registration and issue of licenses for trade purposes,
- (9) the standards of lighting for various interiors and occupations in factories, industrial concerns, mines, quarters, schools, libraries, cinemas and other places in order to prevent affections of eye from dim vision or inadequate lighting from dazzle or glare, and other hazards due to improper lighting,
- (10) the standards for visual acuity and visual judgement for employment in various occupations, trades, industries, factories, mechanical transport, police, education and other services.

CHAPTER XVIII

Treatment of Rabies

1. (1) The State Government shall arrange for treatment of rabies at the headquarters of the State, and as far as practicable at the district and subdivisional headquarters as part of the District and subdivisional Organisations of the State Health Services. Provision of treatment for Rabies :
- (2) If so required by the Government, a Local Authority shall arrange for Anti-rabic treatment at any hospital or dispensary under its control.
- (3) The treatment for rabies shall be available free to the people from any institution provided under sub-sections (1) and (2).

2. The State Government shall supply Antirabic vaccine and fix the price of such vaccine supplied to Local Authorities, registered medical practitioners and Chief Medical Officers of factories, mining settlement, plantations and industrial concerns on such conditions as the Government may prescribe.

Price of anti-rabic vaccine :

PROVIDED THAT no person other than a registered medical practitioners shall be supplied with or shall treat any person with Antirabic vaccine.

3. The preparation of Antirabic vaccine shall conform to the provisions of the Drugs Acts and the rules thereunder and all directions given therein shall be followed in the storage, transit and use of the vaccine.

Direction for preparation & use

4. The Local Authority shall have the power to detain all stray dogs and if any such dog is, in the opinion of the Health Officer, found to be suffering from rabies, to arrange for its immediate destruction. The Local Authority may, in any case, destroy stray dogs if not claimed by any person within three days of detention.

Detention and destruction of rabid dogs :

5. The State Government may prescribe rules generally for purposes of this chapter and in particular for— Rules :

- (1) the supply of Antirabic vaccine to different authorities and persons and the scale of charges payable for such supply
- (2) records, returns and reports to be maintained and submitted in connection with Antirabic treatment.

CHAPTER XIX

Blood Bank

Provisions
of Blood
Banks :

1. The Government shall establish and maintain a Central Blood Bank at the headquarters of the State and as far as practicable, Blood Banks at district and sub-divisional headquarters as part of the District and Sub-divisional Organisation of the State Health Services.

Supplies of
Blood Serum
and plasma :

2. The supplies of serum and plasma from any Blood Bank shall be available for patients in any hospital or dispensary and to registered medical practitioners on such terms and conditions as the Government may prescribe.

Rules :

3. Government may prescribe rules for management of Blood Banks, for payment to donors of blood and for the sale of the serum and plasma and for other purposes of this chapter.

Private
Blood Bank:

4. With the approval of the Government, any medical or pharmacists' organisation recognised in this behalf may establish and maintain a Blood Bank.

Direction
for prepara-
tion & use :

5. In the preparation, preservation and issue of blood serum or blood plasma the authorities in charge shall conform to the provisions of the Drugs Act and rules thereunder.

CHAPTER XX

Mental Health Services

1. (1) The State Government may provide, by successive stages, Mental Health Services both in the preventive and curative aspects and for this purpose may augment the existing institutional facilities for the treatment of mental ill health and make provision for the training of different types of mental health workers, doctors and ancillary personnel including post-graduate training of medical and personnel and other mental health workers in all branches of psychological medicine for mental disorder and mental deficiency and for promotion of research in the field of mental health in any suitable institution either in India or abroad.

Provision of
Mental
Health
Services :

(2) The State Government may in particular establish and maintain hospitals for general mental patients, homes for mentally defectives and incurables,

2. The State Government may provide for periodical examination of mental health of any class or classes of persons employed in the handling of complicated machineries and power-driven transport vehicles likely to cause accident or danger to life.

Periodical
examination
of certain
class of
workers :

3. Government may prescribe regulations for employment of mentally disordered or defective persons and for restrictions for employment of such persons in certain avocations.

Regulations
for employ-
ment of such
persons :

4. The State Government may prescribe rules generally for the purposes of this chapter and in particular for—

Rules :

(1) establishment, improvement and maintenance of institutions for the mentally disordered and defective persons and homes for convalescents and incurables,

(2) establishment and management of child guidance clinics and like institutions for problem children and delinquents,

(3) training of personnel,

(4) research work,

(5) examination for mental fitness of various classes of workers and issue of certificates.

CHAPTER XXI

Social Welfare Services

Social
Welfare
Services

1. Social Welfare Services mean services for the welfare of the people and include such medico-social services for dealing with social, personal and psychological factors as are conducive to the development of physical fitness and mental happiness in all conditions and spheres of life, and for the purposes of this chapter include the technical services for medical relief and public health measures in connection thereof.

Provision of
Social
Welfare
Services :

2. The State Government, and with the approval of the Government, a Local Authority may provide Social Welfare Services for medico-social work in—

- (a) hospitals, dispensaries and in any public health programme in the State,
- (b) in clinics and homes for tuberculosis, venereal diseases, leprosy and other diseases.
- (c) in maternity and child welfare clinics and family planning centres,
- (d) in child guidance centres,
- (e) in after-care homes and institutions for the invalids, mentally defectives and like persons,
- (f) in factories, industries and in engineering projects employing large labour population,
- (g) in rehabilitation centres,
- (h) in institutions for investigation of causes of and remedial measures for social life,
- (i) and in all such institutions and conditions as may be concerned with improvement of health and happiness of people.

Training of
Social
Service
workers :

3. (1) The State Government may arrange in co-operation with educational institutions for the training of workers of different categories for Social Welfare Services either free or on payment of such fees as the Government may determine.
- (2) Such training shall include, amongst other subjects,

- (i) knowledge in and capacity to deal with social and emotional components involved in sickness, after-care, rehabilitation, separation from family and other factors;
- (ii) inter-relation of psychological and pathological aspects of diseases ;
- (ii) organic and imaginary basis for disorders of mind and body ;
- (iv) assistance to acquire healthful and happy adjustment to conditions of life ;
- (v) child psychology and ability to understand and help mentally backward and delinquent children ;
- (vi) health education of the people to make them health conscious and healthy, and
- (vii) all other matters conducive to development of mental faculties and personal capabilities.

4. The State Government may prescribe the duties and functions of the Social Welfare workers, fix the scale of emoluments and arrange for the registration of such workers of different categories.

Duties and
functions of
Social
Workers :

5. If the State Government so require, any public institution intended for the care of women and children including school-going children, or any relief of welfare association, or any factory, mining or plantation authority and industrial concern employing 200 or more workers shall include one or more Social Welfare workers in its establishment.

Employment
of Social
Service
Workers :

6. The State Government may make rules generally for the purposes of this chapter and in particular for—

Rules :

- (1) provision for Social Welfare workers of different categories suitable for institution aforementioned,
- (2) nature and particulars of work of social service,
- (3) training, qualifications, registration, employment of and scales of remuneration for such workers,
- (4) scales of charges payable to such workers when their services are utilised by any person or group of persons or organisations.

CHAPTER XXII

Vagrants

Application
of this
Chapter :-

1. The provisions of this chapter shall come into operation in such areas and from such dates and in the manner prescribed in this behalf by the State Government by notification in the official Gazette.

Definitions:

2. (1) For the purpose of this chapter, a 'vagrant,' means a person asking for alms in any public place, or wandering about or remaining in any public place in such condition or manner as makes it likely that such person exists by asking for alms but does not include a person collecting money or asking for food or gifts for a social, religious or charitable purpose.
- (2) A Vagrant Home means an institution for detention or permanent accommodation of vagrants and includes the accommodation provided for vagrant students in any educational institution for deaf, mute and blind persons.

Institutions
for vag-
rants :

3. (1) The State Government may, and if required by the Government, a Local Authority shall make suitable arrangements for accommodation of vagrants in Vagrants Homes or Alms Houses and medical care, training for and employment of vagrants in suitable avocations,
- (2) For this purpose the State Government may delegate such powers to the Local Authority as may be necessary.

Power to
apprehend
vagrants .

4. Any member of the police force not below the rank of a constable or a daffadar or village watchman or any officer of the the Government or Local Authority when so authorised by the District Magistrate, shall have the power to apprehend any person who is apparently a vagrant and to take him to any magistrate not below second class.

Investiga-
tion :

5. (1) When a person who is apparently a vagrant is brought before a magistrate, the magistrate shall make or cause to be made a summary enquiry into the circumstances and character of the vagrant person.
- (2) Pending the investigation or after such investigation if the magistrate is satisfied that the person

is a vagrant, the magistrate shall order for the removal of the vagrant and for his accommodation in a Home for Vagrants or an Alms House, and in the absence of such an institution in the area within his jurisdiction, in the local jail or sub-jail, pending his removal to a Vagrant Home or Alms House elsewhere within the State.

6. (1) If the vagrant has no permanent residence anywhere within the State, the magistrate shall direct the vagrant to remove himself beyond the State and communicate the fact to the Inspector-General or Chief of the Police of the State for the removal of such vagrant.

Accommod-
ation of
Vagrants
of other
States and
of foreign
country :

- (2) If any vagrant is not a citizen of India or belongs to some other State of India, the Government may, after consultation with the Government of India or the Government of the State concerned, as the case may be, arrange for the removal of such vagrant to any place as may be directed by the Government of India or the Government of the State concerned.

7. (1) In all Vagrant Homes, Alms Houses or other places for accommodation of vagrants there shall be,

Accommod-
ation, care
and work :-

- (a) separate accommodation for males and females with adequate arrangements for water supply, sanitary conveniences and lighting ;
- (b) adequate arrangements for medical care and isolation of infectious cases of leprosy, tuberculosis, venereal and skin diseases;
- (c) general and vocational training of the vagrants to prepare them for future employment and ability to earn their livelihood after their discharge ;
- (d) schools for education on general lines, with facilities for education of the blind or deaf vagrants in such special schools outside Vagrants Homes or Alms Houses ;
- (e) arrangements for engaging the vagrants in small industries, cooking, gardening, keeping the premises clean and such other works as may be possible within the Vagrant Homes or Alms Houses.

- (2) Vagrants may be paid for their work or for the articles produced by them on such scale and in such manner as the Government may prescribe.

Payment for
work done
by vagrants:

Discharge of
vagrants :

8. (1) A vagrant may be discharged under orders of the Magistrate having jurisdiction over the place of accommodation if the Magistrate is satisfied on the basis of a certificate of the Superintendent that
- (a) a suitable employment has been obtained for the vagrant,
 - (b) the vagrant has become possessed of an income sufficient to enable him to support himself,
 - (c) a relative of such vagrant has entered into a bond with sureties to look after and maintain the vagrant, or
 - (d) for other good and sufficient reasons to be recorded by the magistrate.
- (2) No vagrant shall be allowed to come out of the place of accommodation except under a permit from the Superintendent and for the purposes of training or employment.

Rules :

9. The State Government may make rules generally for the purposes of this chapter and in particular for—
- (1) establishment and administration of Vagrancy Homes and Alms Houses,
 - (2) appointment of one or more superintendents and other staff and the qualifications and emoluments of such staff,
 - (3) the powers to be exercised and the duties to be performed by the superintendent and other staff,
 - (4) the procedure for arrest and investigation in case of vagrants and removal to Vagrant Homes, Alms Houses and other places,
 - (5) training, employment and discharge rules to which the vagrants shall be subject,
 - (6) provision of sanitary conveniences, games, recreation and educational facilities in Vagrant Homes and Alms Houses.

CHAPTER XXIII

Nutrition

1. Notwithstanding anything contained in chapter I, the State Government shall constitute a Nutrition Advisory Committee consisting of such representatives of the different departments of the Government and such number of nutrition experts and representatives of trade and industry connected with manufacture, distribution and sale of foodstuffs as may be determined by the State Government with the Minister of Health as Chairman and Director of Health Services as Secretary, ex-officio.

Nutrition
Advisory
Committee :

2. (1) The Nutrition Advisory Committee shall advise the Government in all matters relating to nutritional standards of foodstuffs, supply of nutritive components of diet to the people of all classes and co-ordination of the food policy in any programme for the State.

Recommendation,
of the
Nutrition
Advisory
Committee :

- (2) Subject to the food standards and direction of the Central Nutrition Advisory Board of the Government of India, the recommendations of the State Nutrition Advisory Committee shall, as far as possible, be given effect to by the appropriate departments to coordinate the policy to be followed in supply of foodstuffs in the State with the object of providing the people, of all classes, with the components of a balanced diet containing the essential nutrients even in small quantities.

3. In the operation of any nutrition programme, the State Government may encourage, by grants or otherwise and subsidise the production within the country, and procurement from outside of specified nutritive foodstuffs and the fortification of food-stuff with the essential nutrients.

Production
and import
of essential
nutrients :

4. The State Government may arrange for supply of special foods to expectant and nursing mothers, infants, children, and students upto the age of 15, through recognised agencies and educational institutions.

Supply of
special foods
to mothers
& children :

5. The State Government may require any Local Authority, factory, industry and business concern, educational institution and organisation employing a large number of persons to establish canteens or refreshment rooms or otherwise arrange for the supply to general public or a section of the public or their employees or students as

Canteens &
other
arrange-
ments :

the case may be, of meals and refreshments of such quality and at such prices as may be prescribed by the Government.

Nutritional research :

6. The State Government may establish and maintain laboratories and kitchens for experimental study and research work on nutritional value of different foodstuffs.

Nutritional survey :

7. The State Government may undertake a survey of nutritional condition of the people of any particular class or of any locality and arrange for equitable distribution of essential foodstuffs in the whole or any part of the State.

Regulating use of milk and other foodstuffs :

8. The State Government may regulate the use and distribution of

- (a) milk for milk product industries and manufacture of sweets and confectionaries,
- (b) utilisation of agricultural produce,
- (c) natural fats and oils, and
- (d) other articles containing essential nutritive foods.

Foodstuffs of low nutritional value :

9. The State Government may, if considered necessary, prohibit or restrict the manufacture and sale of any article of food which, in the opinion of the Nutrition Advisory Committee, is of very low or no nutritive value or is injurious to health.

Power of the Director of Health Services for control and supervision:

10. The Director of Health Services and any officer of the Government duly authorised in this behalf, shall have the power to inspect, supervise and control the operation of the provisions of this chapter.

Rules :

11. The State Government may make rules generally for the purposes of this chapter and in particular for—

- (1) the constitution and conduct of business of the State Nutrition Advisory Committee,
- (2) the procedure for consideration and implementation of the recommendations of the Committee,
- (3) the production and procurement of nutritive foodstuffs and utilisation of such foodstuffs for the public or any section of the public,
- (4) regulation of canteens, the quality of foodstuff and the prices thereof,
- (5) regulation of utilisation of milk, fats, oils and agricultural produce of nutritional value,
- (6) nutritional research, survey and training of personnel for such purposes.

CHAPTER XXIV

Laboratory Services

1. The State Government shall provide adequate laboratory services at the headquarters of the State and may make such provision at district and subdivisional headquarters as part of the District and Subdivisional Health Organisations of the State Health Services, either independently or in association with the Government of India, other departments of the State, Local Authorities of research organisations.

Government to provide laboratory services :

2. (1) The Laboratory Services may extend to the fields of pathology, bacteriology, biochemistry, nutrition preparation and testing of vaccines, sera, lymph and biological products, examination of drugs, chemicals, medicolegal and clinical specimens, food, water, effluents, disinfectants and other articles in connection with Medical and Health Services.

Nature of laboratory Services :-

(2) Laboratories for two or more of the above purposes may be combined as the Government may consider expedient.

3. (1) In the District and Subdivisional Laboratories of the State Health Services, such laboratory facilities shall be made available for diagnostic and general purposes, except medico-legal purposes, to all persons or body of persons including Local Authorities, industrial and business concerns, either free of charge or on payment of such charges, as the Government may prescribe from time to time.

Laboratory facilities :

(2) The State Government shall have the power to prescribe the scales of fees payable for the examination of bacteriological and clinical specimens of food, water, effluents and other articles sent by the people, to a Local Authority or a department of Government of the State or Government of India.

4. (1) The Government may permit Local Authorities to establish and maintain public health and bacteriological laboratories at the district headquarters and/or in municipal areas.

Local Authorities may establish Public Health and Bacteriological laboratories :

All such laboratories of Local Authorities shall work under the control and supervision of the

Director of Health Services and in accordance with directions given by him from time to time.

- (2) Director of Health Services shall cause all such laboratories to be inspected at least once a year and may withhold or revoke the permission if on two successive inspections the work of any laboratory is found to be unsatisfactory.

Contract with other laboratories :

5. The State Government, and with the approval of the Government a Local Authority, may arrange or enter into contract with laboratory established by a private person or organisation for any or all of the above purposes, except medico-legal work, on such terms and conditions as Government may determine.

Analytical technique :

6. The State Government may, for the purpose of ensuring uniformity of analytical technique throughout the State, prescribe standard methods and issue instructions from time to time as may be considered necessary and all laboratory workers shall follow such methods and instructions.

Provincial cadre of laboratory workers :

7. The State Government may establish a provincial cadre of laboratory workers such as superintendents, analysts, bacteriologists, laboratory technicians and others and prescribe the qualifications and emoluments of the different classes of such workers according to the nature and volume of work.

Research laboratories :

8. The State Government may establish and maintain with or without association with any Government, one or more research laboratories, at any place within the State or outside for investigation and research work on matters relating to diseases, medicines, public health, sanitation, nutrition, public health engineering or any matter in connection with promotion of health of the people.

Laboratory Technicians :

9. In any Government Laboratory or any recognised non-governmental laboratory, facilities may be provided for

- (1) training of laboratory technicians, not more than two at a time, in accordance with the courses, terms and conditions to be prescribed by the Government ;

- (2) research work on any subject relating to medical and health services, including public health engineering.

Government Assistance :

10. The State Government may assist by grants or otherwise any person or association in order to promote

research work in medical and health subjects in any laboratory established by such person or association.

11. The Director of Health Services and any officer of the State Government duly authorised in this behalf shall have the power to inspect, supervise and control the working and administration of the laboratories within the State

Power of the Director of Health Services for control and supervision:

12. The State Government may make rules generally for the purposes of this chapter and in particular for—

Rules :

- (1) the establishment, administration and management of laboratories for different purposes and by different authorities or for any combination of purposes and authorities,
- (2) the facilities to be made available from laboratory service and the scale of charges payable for such work and for examination of specimens,
- (3) contract with private laboratories and the terms and conditions in connection thereof,
- (4) standard analytical technique,
- (5) cadre of laboratory workers and the appointment and emoluments of such workers,
- (6) research laboratories for different purposes,
- (7) laboratories exclusively for medico-legal purposes,
- (8) training of laboratory workers in India and abroad and of laboratory technicians for different purposes,
- (9) inspection, supervision and control of laboratories.

CHAPTER XXV

Ambulance Services

Government
to provide
ambulance
services :

1. (1) The State Government shall maintain adequate Ambulance Services at the headquarters of the State, and may maintain such services at the district and subdivisional headquarters for the conveyance of injured and sick persons to and from hospitals and places for accommodation and treatment.

Ambulance
vehicles for
special
purposes :

- (2) The State Government may in addition provide Ambulance vehicles for any camp, settlement, fair, gatherings or any special institution and for special occasions and emergency.

PROVIDED THAT separate vehicles shall be used for conveyance of infectious cases.

Municipal
Authority
to maintain
Ambulance
Services for
local areas :

2. (1) A Municipal Authority with a population of fifty thousand or over shall provide and maintain an Ambulance Service for quick transport of injured and sick persons of the local area to and from hospitals and other places for accommodation and treatment, provided that a Municipal Authority of population of one lakh or over shall provide separate vehicles for conveyance of infectious cases.

- (2) A Local Authority may allow its Ambulance vehicles to be used by any other Local Authority or any business concern on such terms and conditions as may be prescribed by the Local Authority.

- (3) Two or more Local Authorities may jointly maintain an Ambulance Service.

Ambulance
vehicles of
Welfare
Organisations :

3. The Government and with the approval of the Government a Local Authority, may arrange for Ambulance Services for any such purpose with any recognised Welfare Organisation on such terms and conditions as may be mutually agreed upon.

Business
concerns to
provide
ambulance
vehicles :

4. (1) The State Government may direct the managing authorities of factories, mining settlements, plantations and other industrial concerns to maintain one or more Ambulance vehicles for conveyance of the sick and injured persons employed therein and their families and dependants to any hospital or transit station.

- (2) Two or more such concerns may jointly maintain an Ambulance Service.

5. The Government may prescribe the scale of fees to be charged for the service of Ambulance vehicles for transport of private patients from any place or from any factory, mining settlement, plantation or industrial concern provided that indigent persons or persons suffering from dangerous diseases may be exempted from payment of such charges.

Charges for
use of
ambulance
vehicles :

6. The Government shall have the power, on payment of such charges as the Government may determine, to requisition the services of any or all ambulance vehicles within any local area in case of any emergency.

Requisition
of Ambul-
ance
vehicles :-

7. (1) In any area where ambulance service is provided by the Government or Local Authority, no person shall, for conveying himself or any other person, if he or the other person be a patient suffering from a dangerous disease, use a public vehicle, unless an ambulance vehicle is not readily available in spite of his best efforts.

Restriction
on use of
public
vehicles for
dangerous
diseases :-

- (2) The owner or driver of a public vehicle so used shall immediately report the fact to the Health Officer and the vehicle thus used shall not be used again for another passenger until it has been properly disinfected to the satisfaction of the Health Officer.

8. The State Government may make rules generally for the purposes of this chapter and in particular for—

Rules :-

- (1) the number and nature of ambulance vehicles and the staff required for such vehicles used for general patients and for infectious cases,
- (2) charges to be paid for use of such ambulance vehicles,
- (3) management, control and supervision of ambulance services,
- (4) hire or requisition of ambulance vehicles and scale of payment for such purposes,
- (5) use of public vehicles for ambulance services in the absence of such facilities.

PART III—SANITATION

CHAPTER XXVI

Water Supply

Local Authority to provide adequate supply of water for drinking, domestic & other purposes :

1. (1) Every Local Authority shall provide or arrange for the provision of sufficient supply of water for use of the inhabitants of the area within its jurisdiction.
- (2) Water for drinking and other domestic purposes shall be—
 - (a) wholesome, portable and free from excess of minerals, injurious chemicals and organic pollution,
 - (b) available at a minimum quantity of five gallons per head per day throughout the year.
- (3) In addition to the quantity of water required for drinking and other domestic purposes, the Local Authority may and under orders of the Government shall provide or arrange for the provision of supply of water for non-domestic purposes, including water for use of animals, cleansing of houses drains, sewers, public buildings, industrial and commercial purposes, gardening, street watering and fire-fighting purposes, on the following scale, which may be varied by the Government in consideration of local conditions :

(a) when the population of area to be served is	1000 to 5000—15 glns.
(b) when the population of area to be served is	5000 to 20000—20 „
(c) when the population of area to be served is	20000 to 30000—25 „
(d) when the population of area to be served is	30000 or over—40 „

per capita per day.
2. (a) In municipal areas and in semi-urban areas with a population of 5000 and over, as may be specified by Government, the supply of water for drinking

Water supply by piped system :

and other domestic purposes shall be effected by a piped system of water-supply ; and where in such area or town a piped system of water-supply is not provided or is not in accordance with the standard prescribed in Section 1 sub-section (2), the Local Authority concerned shall, on the passing of this Act, take immediate measures for introduction of piped system or improvement of the existing piped system, as the case may be, so that every house has within it or within a reasonable distance, not exceeding 100 yards, from it an available source of water-supply for use of the inmates of the house according to the said standard.

- (b) All such areas may be divided into different blocks and each block may be provided with piped water supply according to a definite programme indicating priority.

3. (1) The supply of water in any piped system shall be kept at such pressure as to reach such height as may be specified by the State Government, for all areas covered by the system. Supply to be adequate & at good pressure ;
- (2) Before distribution of water by a piped system, the water drawn from the source shall be gathered in tanks or reservoirs for sedimentation followed by filtration if necessary, and properly treated so as to make the water wholesome, free from excess of minerals, injurious chemicals or any organic pollution so as to conform to the prescribed standards of quality and purity. Clarification and treatment of water :
4. The source or sources from which water would be drawn for supply by a piped system shall be such as would provide sufficient quantity of water throughout the year, and the site at which it would be drawn shall be selected after careful investigation and after consultation with the Chief Engineer, Public Health, of the State. Source of water for supply by piped system :
5. (1) A Local Authority shall, for the purpose aforesaid and with the previous sanction of the Government, construct, lay or erect water-works or other works incidental thereto within or outside the limit of its local area. Local Authority may provide water-works :
- EXPLANATION : Water-works - include lakes, tanks, streams, cisterns, springs, pumps, wells, reservoirs, aqueducts cuts, sluices, mains, pipes, culverts, engines, hydrants, stand-pipes, conduits and machinery, lands, buildings, bridges and things for supplying or used for supplying water.
- (2) All installation of machineries and equipment for the above purposes shall require the approval of the Chief Engineer, Public Health.

Inspection
of water-
works and
rectification
of defects :

Joint Water
Board :

Contract
for water
supply :

Payment to
Joint Board
and for
contract :

- (3) All water-works, filters, pumps, pipes, wells, tubewells, reservoirs, stand-posts, meters and appurtenances thereto constructed, erected or laid for the purpose (not being private property or belonging to Government) shall vest in the Local Authority.
- (4) The Director of Health Services or the Chief Engineer, Public Health, or any officer deputed by either shall have the power to inspect the water-works from time to time and the Local Authority shall rectify any defect that may come to notice on such inspection.
6. (1) Two or more Local Authorities may jointly provide the necessary water supply and in such cases the Government may constitute a Joint Water Board (which will include, besides others, representative of the Local Authorities) with powers to construct and maintain water-works and to take all other measures for the provision and improvement of water supply in the areas of the Local Authorities concerned.
- (2) The State Government shall determine, by rules prescribed in this behalf, the manner of conducting the business of the Joint Board and the manner in which the expenses of the Board, including cost of construction, working and maintenance of the water supply establishment, shall be met by the different Local Authorities concerned.
- (3) The State Government may, if necessary, extend the operation of a Joint Water Board to the areas under other Local Authorities on such terms and conditions as the Government may determine.
- (4) In case of any dispute or difference of opinion between the Local Authorities and Joint Board the matter shall be referred to the State Government whose decision shall be final and binding on all parties.
7. With the permission of the State Government, a Local Authority may enter into a contract with another Local Authority or a limited company for the supply of water in the area under its jurisdiction or any part thereof on such terms and conditions as may be approved by the Government. Two or more Local Authorities may either singly or jointly enter into such contract with another Local Authority or a limited company.
8. The State Government shall determine the amount to be paid yearly or half-yearly by a Local Authority to another Local Authority, the Joint Board or limited company for supply of water to any local area and such payment shall be the first charge on the revenues of such Local Authority.

9. Any arrangement for supply of water by a Joint Board or limited company shall not be terminated

Termination of arrangement

- (i) except under orders of the State Government,
- (ii) within 30 years from the date of such arrangement or contract, and
- (iii) until the State Government is satisfied that the Local Authorities are themselves in a position to take over and to arrange for the supply of water after full payment of dues as determined by a Board of not less than three Public Health Engineers appointed by the Government.

10. In any area where piped system of water supply is provided or is introduced, it shall be obligatory on the Local Authority to provide an effective system of drainage in order to prevent water-logging and unhealthiness and the Government shall make suitable grants-in-aid and render necessary technical assistance towards the provision of such drainage system.

Effective drainage obligatory with piped system of water supply :

11. The system of drainage required to be provided under section 10 shall be subject to the provisions of Chapter XXVII.

Drainage system to subject to Chapter XXVII :

12. (1) In any area where piped system of water-supply is or may be in operation the Local Authority may, on the application of the owner or occupier of any house or premises within 200 feet of the supply mains, make connection from the supply main for the purpose of leading water to such house or premises on payment of the prescribed fees and other charges.
- (2) The Local Authority may in writing require the owner, or in his absence the occupier of any house or premises situated within 200 feet of the supply-main to obtain such connection within a specified time for the supply of water from the supply-main on payment of the prescribed house connection fee and other charges for installation of pipes and fittings as may be prescribed.

House connection :

PROVIDED however that the owner or occupier may, at his own cost, get the installation of pipes and fittings within his house or premises done by a licensed plumber, and pay the Local Authority only the house connection fee.

- (3) In the event of failure of the owner or occupier to comply with the aforesaid direction, the Local Authority may, after giving due notice of its intention, instal the pipes and fittings required for the house or premises and connect the same with

the street main for the supply of water to the house or premises and realise the prescribed fee and other charges from the owner or occupier in the same manner as for realisation of rates and taxes.

Private tubewell :

- (4) The owner of a house or owners of two adjoining houses may, with the permission of the Local Authority, sink one or more tubewells for the supply of water for use of the inmates of the house or houses, provided the Local Authority is satisfied that the water available from the tubewell or tubewells is safe from public health point of view.

Supply from stand-posts and reservoirs :

13. The Local Authority shall provide an adequate number of standposts or closed reservoirs with supply taps with masonry platforms and overflow drains at suitable places for use of persons living beyond the said distance.

Water Rate :

14. (1) The Local Authority may, with the approval of the Government, impose a water rate, in addition to other rates, based on the assessed valuation on all houses or premises within 200 feet of the street mains and may fix a lower water rate for those houses beyond 200 feet of supply mains. Such water rate shall be realisable in the same manner as and along with the general rate.

- (2) Subject to the rules prescribed in this behalf by the State Government, a Local Authority may from time to time determine the quantity of water to be supplied free of charge to any house or premises connected with the supply main on the basis of water rate paid in respect of such house or premises.

- (3) All supply in excess of free allowance shall be paid for by the occupier, and if there be no occupier by the owner of the house or premises.

Water charge by meters :

15. (1) A Local Authority may instal water meters to measure the supply of water.

- (2) Notwithstanding the provisions of Section 14, a Local Authority may supply water by bulk or by measure and charge at such scales as may be approved by the State Government for such supply to

- (i) factories, industrial concerns, hotels, restaurants and business firms ;
- (ii) hospitals, nursing institutions, schools, colleges and such medical or educational institutions ;
- (iii) gardens, orchards, cattle sheds, swimming pools, playgrounds, fountains and the like ;
- (iv) ports, ships, railways, cantonments, army, labour or other camps under Governmental Organisations.

16. Water supplied for fire-fighting purposes and for cattle troughs, public baths, urinals, privies, drains and sewers or any other public purposes provided by any authority other than the Local Authority shall be paid by the said Authority at such rates as may be mutually agreed upon.

Water for public conveniences ;

17. Where in any municipal area the public supply of water for drinking and other domestic purposes is by means of tubewells with hand pumps, such wells shall have masonry platforms and overflow drains and shall be located at road-sides or other convenient sites, in accordance with the rules prescribed by the Government.

Supply from Tubewells in urban areas :

18. (1) In rural areas, the Local Authority shall arrange for supply of water from dispersed sources, provided that

Supply of water from dispersed sources in rural areas :

- (i) there shall be one masonry or tubewell for every 150 to 200 persons,
- (ii) the supply is not less than 5 gallons per head per day for drinking and other domestic purposes, and
- (iii) the source is not at a distance farther than two furlongs from any house served by that source.

- (2) The sites shall be selected by the Health Officer of the Local Authority, after consultation with the District Public Health Engineering Officer and subject to the approval of the Subdivisional Officer and having due regard to the principle of equitable distribution of water to all localities.

- (3) Any such source of public water supply shall not be located within 100 yards of another such source, except in the case of a medical or educational institution.

19. (1) Every Local Authority shall maintain adequate technical establishments for the working, maintenance and repairs to engines, pipes, pumps and fittings of the water works and all appurtenances thereto for the supply of water.

Maintenance and repairs :

- (2) All public tube-wells and masonry wells shall be regularly inspected and kept in good working order : and for this purpose necessary staff of inspectors and of tube-well mechanics and mistries shall be maintained and necessary tools and supplies and equipments provided by the Local Authority concerned.

20. (1) A Local Authority may, with the previous sanction of the Government, by public notice, declare any lake, stream, spring, well, tank, reservoir, pond

Other sources of water supply :

or other source of water supply, whether within or outside the limits of its Local area (other than a source under the control of the Government) from which water is or may be made available for the use of the public in the local area to be a source of public water-supply and every such source shall thereafter be under the control of the Local Authority, only to the extent necessary for such purposes.

Reserved tanks and wells :

- (2) A Local Authority may, if the owner consent by a written document, take over the control and administration of any masonry well, tank or reservoir and reserve it for public water supply : thereafter it shall be the responsibility of the Local Authority to keep the same free from pollution and in clean and good condition.
Provided that fish may be reared in any such tank and the fishery may be leased out, on such conditions as not to interfere with the supply of water to the public and not to pollute the water.

Inadequate supply of water :-

21. If it appears to the State Government that the supply of water for drinking and other domestic purposes is inadequate in any local area, the Government may direct the Local Authority concerned

- (i) to arrange for supply of sufficient quantity of wholesome water from any adjacent Local Authority on payment of such sum and/or of such rate as mutually agreed upon or the Government may from time to time determine ;
- (ii) to construct water works, either singly or jointly with the neighbouring Local Authority, or Authorities, as may be considered necessary by the Government in order to provide sufficient quantity of water for use of the inhabitants of all such areas.

Immediate provision & improvement of water supply :

22. In the event of any local area or part thereof being affected or threatened with an outbreak of cholera or any specified waterborne disease or if the water supply is contaminated or is subject to imminent risk of contamination by reason of its unsatisfactory construction, location, operation or maintenance, the State Government, if it is of opinion that immediate provision or improvement of water supply is necessary in the affected area, may by order direct the Local Authority or other authority responsible for the supply of water to take such measures within such time as may be specified in the order and such Authority, shall take action accordingly.

Government to execute works and measures :

23. In the event of failure of the Local Authority, joint Board or limited company to execute the works and measures within the specified time as directed by the State Go-

vernment under Section 21 and Section 22, the Government may itself execute the works and measures and recover the whole or portion of the cost including incidental charges from the Local Authority, Joint Board or limited company.

24. (1) The Local Authority may at any time by written notice require the owner of, or any person having control over, any lake, stream, spring, well, tank, reservoir, pond or other source of water supply which is used for drinking, bathing or washing clothes, shall, whether the same is private property or not, within a reasonable time to be specified in the notice, to take such action and adopt such measures as may be necessary for the protection of health and safety of persons using the water or approaching thereto and for such purposes to cleanse, repair, protect from pollution and danger, enclose, fill in, drain out or close either temporarily or permanently as the case may be any such source of water supply.

Protection of water sources :

- (2) If the owner or person having control as aforesaid fail or neglect to comply with any notice issued under sub-section (1) within the time specified therein, Local Authority may, if immediate action is necessary to protect the health or safety of any person or persons, at once proceed to execute the work specified in such notice and all the expenses incurred in respect thereof by the Local Authority shall be paid by the owner of, or person having control over, such source of water supply and shall be recoverable as if it were a tax due to the Local Authority concerned.

Local Authority may take action :

PROVIDED THAT in the case of any private source, the water of which is used by the public or by any section of the public as of right, the expenses which have been incurred shall be paid from the funds of the Local Authority.

25. A Local Authority may prohibit by a written notice any person to put on or to cause to be carried into any declared source of water collection and the sides thereof, either singly or in combination with other persons, any trade effluent or refuse, filth or any harmful discharge from any drain, privy or sewer, which is likely to pollute or injuriously affect the quality of the water and make it unsuitable for drinking, domestic, bathing or cleansing purposes.

Prevention of pollution of water sources :

Any person or persons who commit an offence under this Section shall be liable to prosecution.

26. (1) On the application of a Local Authority in this behalf, the State Government shall take steps for the conservation of water in, and the prevention of pollution of the water of, any river, stream, lake, channel or public water-supply.

Conservation & prevention of streams :

- (2) When the cause of pollution of water is in another State, the State Government shall take up the matter with the Government of the State concerned and may, if considered necessary, take it up with the Government of India.

Government to prescribe standards of quality and purity of water supplies;

Examination of water from certain places:

Survey of water supply by Local Authority:

27. The State Government shall prescribe by rules the standards of quality and purity of water supplied for different purposes and for periodical examination of samples of water.

28. The State Government may by general or special order require the authority supplying water for public use or in a jail, camp, factory, industry or business concern, to submit for examination samples of water supplied by such authority or concern for drinking and other domestic purposes of the people in such manner and at such intervals to a Public Health Laboratory and on payment of such fees as the State Government may by rules prescribe.

29. (1) If at any time it appears to the State Government that the provision for water supply in any municipal or rural area is not satisfactory or does not fulfil the requirements of the inhabitants thereof, the Government may direct the Local Authority to make a thorough survey of all the existing sources of water supply, including private sources, within the area in order to ascertain whether the available supply of wholesome water is adequate and within easy reach of the inhabitants of such locality and may specify the period within which the survey of water supply shall be completed.

(2) On the application of a Local Authority, the Chief Engineer, Public Health shall render technical assistance and guidance for such survey.

Local Authority to prepare water-supply programme:

Priority in programme:

30. (1) Within six months of the completion of survey the Local Authority shall prepare, after consultation with the Directorate of Health Services, a programme for the augmentation and improvement of water-supply and shall submit the survey report and the programme along with the proposals of the Local Authority for execution of the said programme for approval of the State Government.

(2) In the preparation of the water supply programme priority for augmentation or new provision of water supply shall be given to

- (1) Areas with extreme water scarcity;
- (2) Areas affected with repeated epidemics of cholera and other water-borne diseases;
- (3) New settlements;

- (4) Insufficiency of water supply;
- (5) Permanent places of pilgrimage.

31. (1) In the event of failure of the Local Authority to undertake or complete the survey of water supply or to submit the programme as required under Sections 29 and 30, the State Government may, without derogation of any other powers of the State Government under this Act or any other enactment in force, cause to be prepared by a Committee of Experts to be appointed by the Government a scheme for provision or improvement of water supply in the area.

Government to appoint expert committee for water supply scheme:

(2) The Committee shall consist of seven members with the District Magistrate as Chairman, the District Medical Officer of Health as Secretary, and five other members nominated by the State Government.

(3) It shall be lawful for the members of the Committee and any officer authorised by the Committee, to make necessary investigations, and for this purpose, to enter upon any land, to dig or bore such land, to make survey or take levels and to take other action incidental thereto.

(4) The Local Authority shall furnish to the Committee all papers and informations relating to water-supply and allied matters which are available to it.

32. Every scheme of water supply prepared under Sections 30 and 31 shall include an estimate of probable cost of initial works, including cost of land and an estimate of annual recurring expenditure for maintenance and the manner in which such initial and recurring expenditure will be met.

Schemes & estimates:

33. (1) When a scheme prepared under the foregoing sections has been approved by the State Government, it shall be the duty and responsibility of the Local Authority to execute the scheme as expeditiously as possible, subject to the general control and supervision of the Chief Engineer, Public Health.

Execution of the Scheme and maintenance:

(2) The initial cost of execution shall be met from one or more of the following sources:

- (a) the funds of the Local Authority;
- (b) such grants-in-aid as may be made for the purpose by the State Government;
- (c) such funds as may be obtained by the Local Authority by loans; and
- (d) voluntary contributions for the purpose, if any, from the public.

- (3) The Local Authority shall maintain in proper order and in proper state of repair all works laid out, set up or installed under a scheme aforesaid, subject to such control and supervision of the Chief Engineer, Public Health and of the State Government as may be prescribed for the purpose.

Execution of work estimated to cost more than Rs. 20,000/- :

34. (1) In all cases where the estimated cost of execution of any scheme or project of water supply or of repairs which a Local Authority intends to undertake and which is estimated to cost in aggregate Rs. 20,000/- or more, the Government may direct that the execution of such work shall be done by the Public Health Engineering Division of the Directorate of Health Services or any other engineer under the Government.

- (2) With the permission of the State Government a Local Authority having a Public Health Engineer in its establishment may undertake the execution of such work or repairs the estimated aggregate cost of which exceeds Rs. 20,000/-

Power of Government to take necessary action on failure of local authority :-

35. (1) Notwithstanding anything contained in Sections 23 and 31, if in the opinion of the State Government a Local Authority has failed to carry out satisfactorily the duties imposed on it under this chapter, the State Government may, by an order in this behalf, for such period as may be specified in the order, itself perform or cause to be performed through any agency the said duties and recover the whole or a portion of the cost, including incidental charges, from the funds of the Local Authority.

- (2) For this purpose the State Government may take over the water-works and other sources of water supply with the appurtenances thereto including the management thereof and the establishments belonging to the Local Authority on such terms and conditions as the State Government may determine.

Speedy implementation of water supply programme :

36. The Government may after consultation with the Government of India undertake measures for speedy implementation of a water supply programme or programmes for any area or areas within the State, and may for this purpose create a water-supply fund with such contribution as may be available from the Government of India. The Local Authorities shall bear the cost of execution and, after execution, that of the maintenance of such projects in such proportion and in such manner as the State Government may direct.

37. For the services rendered by the Chief Engineer, Public Health in the survey, preparation, execution, maintenance and supervision of any work under this chapter, the Local Authorities shall be required to pay such fees as may be prescribed by the State Government. All such fees shall be credited to the consolidated fund of the State.

Payment for services of Chief Engineer, Public Health :

38. Government may prescribe rules for the licensing of approved plumbers and no person other than a licensed plumber shall be engaged for laying water pipes and fittings.

Licensed plumber :

39. The Local Authority concerned shall, with such assistance as may be available from the Government and under the control and supervision of the Chief Engineer, Public Health, make temporary arrangements for protected supply of adequate quantity of water in fairs, festivals, pilgrimage centres and other large congregations and may realise a part or whole of the cost incurred for such supply from the organiser of the fair or festival for gainful purposes. In all such places the water shall be distributed through stand posts or closed reservoirs fitted with taps.

Water supply for fair, festivals & gatherings :

40. A permanent pilgrim centre which is likely to attract ten thousand or more pilgrims during a year shall be provided with protected water-supply and the cost for construction and maintenance of such water-supply shall be shared equally by the Local Authority and the State Government. In the case of a pilgrim centre of all-India importance, the Central Government may be approached to make suitable grants-in-aid for the purpose.

Piped water supply for pilgrimage centres :

41. (1) A Local Authority may declare one or more tanks, water collections and the like to be used exclusively by washermen or for jute steeping and similar purposes and no person shall use any other tank or water collection for such purposes.

Tanks and water collections for washermen & jute steeping :

- (2) Local Authority may construct and maintain a sufficient number of Dhobi-ghats at one or several suitable places and may require the washerman using the Dhobi-ghat to pay such charges as the Local Authority may fix.

- (3) Local Authority may, with the approval of the State Government frame bye-laws for licensing of washermen and for use of water collections by washermen and for jute steeping.

42. A Local Authority may provide and maintain public bathing places or swimming pools with sheds, steps, booths and other conveniences and may permit any person, club or association to provide and maintain such bathing places and swimming

Provision of bathing places :

pools open to general public or to members only of the club or association.

Licensing of bathing places:

43. All public bathing places except those of the Local Authority, shall be licensed with the local Authority and every such license shall be renewable every year, but may be revoked or cancelled by the Local Authority if in its opinion the management of the public bathing place is not satisfactory from the hygienic point of view.

Reservation of water areas for bathing places:

44. Local Authority may reserve any tank, pond, or water collection and any "ghat" or portion of a stream, river or channel for use as public bathing places and no person shall do any act likely to affect the quantity, quality or purity of the water in such place.

Charge for booths, sheds and other conveniences:

45. The Local Authority may fix the charges for the booths, sheds and other conveniences provided at any bathing place.

Bye-laws:

46. The Local Authority may make bye-laws with regard to such bathing places for regulating the hours of bathing, maintenance of life-saving apparatus or other means of protecting the bathers from danger, use of bathing booths, sheds and other conveniences, the standards of quality, purity and quantity of water in the swimming pools and changing of water for the purpose of bathing or swimming, periodical cleansing, and for sanitation of such pools and bathing places.

Closure of Bathing Places :-

47. The State Government may order the closure of any bathing place which, in the opinion of the Government, is unsafe for use or is likely to endanger the life or health of the bathers or to people living near or away from such bathing place.

Use of private lands:

48. For the purpose of execution of any scheme under this chapter, the Local Authority or the Public Health Engineering, Division of the State Government may, after giving previous notice, carry any intake, main, branch or supply pipe or channel or anything of like nature, into, across or under any land, building or premises, as the case may be.

PROVIDED THAT reasonable compensation shall be payable to the owner or occupier of the land, building or premises for any damage sustained by him through or in consequence of any such operation.

Use of lands of other authorities:

49. What it is necessary for the execution of any work under this chapter to construct or carry any intake or main pipe or channel or anything of like nature into, across or under the area of another Local Authority, the consent

of such other Local Authority shall be obtained on such terms and conditions as may be mutually agreed upon or decided by the State Government.

PROVIDED THAT no such pipe or channel shall be constructed or carried into, across or under the limits of area under the control of the State Government or the Government of India without their prior permission.

50. The State Government may make rules generally for the purposes of this chapter and in particular for :—

Rules :

- (1) the preparation of plans and estimates for water works, selection of sources of water, selection of site or sites for the water-works and different parts of same,
- (2) the publication of particulars of and the nature of any such work or scheme, its cost and the manner in which it will be financed and carried out and the manner of approval by the State Government,
- (3) the size and nature of water-works, mains, pipes, channels, sedimentation tanks and other requirements for improvement, extension or provision of water supply in any area,
- (4) the maintenance of water-works and of pipes, fittings, tubewells, pumps, reserve tanks and like sources of supply of water and fittings and appurtenances thereto,
- (5) conservation of and prevention of pollution of sources and means of water supply and appliances for such work,
- (6) scale of water rates and charges for supply of water by bulk or measure,
- (7) size and nature of stand pipes or pumps, pipes, ferrules, hydrants, stopcocks and other fittings,
- (8) manner of house connection and scale of charges in connection thereof,
- (9) regulation of all matters connected with supply and use of water or water collections for different purposes,
- (10) any other matter relating to supply of water in respect of which this chapter makes no provision or insufficient provision and further provision is, in the opinion of the State Government, necessary.

CHAPTER XXVII

Collection and Disposal of Community Wastes.

Local Authority to provide for collection & disposal of community wastes :

Definitions

1. It shall be the duty and responsibility of a Local Authority to adopt measures for hygienic collection and disposal of community wastes from all areas within its jurisdiction.

2. For the purposes of this Act—

(1) community wastes mean anyone or all of the following matters :

- (i) sullage including overflow water and storm water.
- (ii) sewage, meaning nightsoil and other contents of privies, urinals, cesspools or drains and including trade effluents and discharges from manufactories, factories and industrial concerns of all kinds,
- (iii) offensive matters, meaning kitchen or stable refuse, dung, dirt, putrid or putrifying substances and filth of any kind which is not sewage,
- (iv) rubbish, meaning dust, ashes, sweepings, broken bricks, mortar, glass and refuse from houses, manufactories, factories and industrial concerns of any kind which is not offensive matter or sewage.

(2) Collection and/or disposal of community wastes means any or all of the following measures :

- (i) drainage including sewage disposal,
- (ii) sewerage: the term drain includes a sewer, a house drain, a drain of any other description, a tunnel, a culvert, a ditch or channel or any other device for carrying off sullage, sewage, offensive matter, trade wastes, polluted water, rain water and subsoil water,
- (iii) conservancy which means the removal and disposal of sewage, offensive matter and rubbish and includes scavenging.

No Sewerage within sufficient water-supply :-

3. (1) No system of sewerage shall be introduced in any area where sufficient quantity of water is not available for the purpose of regular flushing and cleansing of the drains and sewers.

(2) The drainage and sewerage systems for any area may be provided separately or may, where practicable, be provided as a combined system.

4. (1) If in the opinion of the State Government a local area or part thereof requires to be provided with a system of Public drains and sewers or the existing drains or sewers require to be immediately improved or extended in order to provide and spread out, as far as practicable, the main sewers or drains within 100 feet of every block of land having 20 or more houses, the State Government may by order require the Local Authority concerned to make such provision or improvement or extension of drains and sewers or to prepare a scheme for such purpose within such time and in such manner as may be specified in the order.

Government order for provision, extension or improvement of sewers and drains :

(2) A Local Authority shall consult the Chief Engineer, Public Health in the preparation of and extension of any scheme for provision or improvement or extension of drains and sewers.

(3) In the event of failure of the Local Authority to prepare the scheme within the specified time, the State Government may itself prepare, through the agency of Public Health Engineering Division, after such consultation with the Local Authority or Authorities concerned as it may consider necessary, a scheme for the provision, improvement or extension of drains and sewers in any area or its adjacent areas.

(4) Every such scheme whether prepared by the Local Authority or by the Public Health Engineering Division shall require the approval of the Government before it is taken up for execution in the manner stated hereinafter.

5. (1) When a scheme prepared under the foregoing sections has been approved by the State Government, it shall be the duty and responsibility of the Local Authority to execute the scheme as expeditiously as possible subject to the general control and supervision of the Chief Engineer, Public Health.

Execution of the scheme and maintenance :-

(2) The initial cost of execution shall be met from one or more of the following sources :

- (a) the funds of the Local Authority ;
- (b) such grants-in-aid as may be made for the purpose by the State Government ;
- (c) such funds which may be obtained by the Local Authority by loans ; and

(d) voluntary contributions for the purpose, if any, from the public.

(3) The Local Authority shall maintain in proper order and in proper state of repairs all works laid out; set up or installed under scheme aforesaid subject to such control and supervision of the Chief Engineer, Public Health and of the State Government as may be prescribed for the purpose.

Execution of work estimated to cost more than Rs.20,000/- :

6. (1) In all cases where the estimated cost of execution of any scheme or project or of repairs which the Local Authority intends to undertake and which is estimated to cost in aggregate Rs. 20,000/- or more, the Government may direct that the execution of such work shall be done by the Public Health Engineering Division of the Directorate of Health Services or any other engineer under the Government.

(2) With the permission of the State Government a Local Authority having a Public Health Engineer in its establishment may undertake the execution of such work or repairs the aggregate cost of which exceeds Rs. 20,000/-.

Assistance from Government, technical advice, grants-in-aid and loans :

7. (1) The State Government shall assist the Local Authorities with such technical advice and such grants-in-aid or loans towards any scheme for the provision, extension, improvement or maintenance of drainage or sewerage or mechanised conservancy and scavenging, on such terms and conditions as the Government may determine either generally or for any particular case.

(2) All loans shall be repayable with interest in such instalments spread over such period of years as may be determined by the Government.

Government may take action by failure of Local Authority :

8. (1) If in the opinion of the State Government a Local Authority has failed to carry out satisfactorily the duties imposed on it under this chapter, the State Government may, by an order in this behalf, for such period as may be specified in the order itself perform or cause to be performed through any agency the said duties and recover the whole or a portion of the cost, including incidental charges, from the funds of the Local Authority.

(2) For this purpose the State Government may take over the sewerage and drainage systems with the outfall and discharge works and all appurtenance thereto including the management thereof and the establishments belonging to the Local Authority on such terms and conditions as the State Government may determine.

9. The Government may, after consultation with the Government of India, undertake measures for speedy implementation of a sewerage and/or drainage programme or programmes for any area or areas within the State, and may for this purpose create a fund with such contribution as may be available from the Government of India. The Local Authorities shall bear the cost of execution and, after execution, that of the maintenance of such projects in such proportion and in such manner as the State Government may direct.

Speedy implementation of sewerage programme :

10. For the services rendered by the Chief Engineer, Public Health in the survey, preparation, execution, maintenance and supervision of any work under this chapter, the Local Authorities shall be required to pay such fees as may be prescribed by the State Government. All such fees shall be credited to the consolidated fund of the State.

Payment for services of the Chief Engineer, Public Health :

11. For the purpose of execution of any scheme under this chapter the Local Authority or the Public Health Engineering Division may, after giving previous notice, carry any drain, sewer or channel of any kind across or under any land or building.

Use of private lands :

PROVIDED THAT reasonable compensation shall be payable to the owner or occupier of the land or building for any damage sustained by him through or in consequence of any such operation.

12. (1) Where it is necessary for the execution of a scheme under section 4 and 5 to carry any sewer or drain into, across or under the area of any other Local Authority for the purpose of the ultimate disposal of the sewage, the consent of such other Local Authority shall be obtained on such terms and conditions as may be mutually agreed upon or as may be decided by the Government.

Consent of other Local Authority :

(2) No drains or sewers or channels shall be constructed or any outfall or disposal be carried within or across the limits of any area under the State Government or the Government of India without their prior permission.

13. The Local Authority or the State Government may acquire, purchase or take lease of any land or building or building needed for the purpose of executing works under this chapter including such land as may be required for the provision of outfall of drains or sewers or disposal of sewage and other wastes, including trade wastes and for all other works in connection therewith.

Acquisition of land and buildings :

Control and
administration
to be vested
in Local
Authority :

14. The control and administration of all sewers including the auxiliary parts and drains and of lands used for outfall or disposal of sewage and wastes shall vest in the Local Authority concerned,

and the Local Authority shall maintain them in good repairs and proper serviceable condition throughout the year.

Disposal of
sewage and
effluents in
water-
courses and
collections :

15. (1) A Local Authority shall not permit conveying of sewage or any waste water, effluent or filth by any person or persons or cause any of its own drains and sewers to discharge into a stream, channel, watercourse or lake which is used as a source of water supply or for bathing, washing and other purposes.

(2) Where there is no scope for disposal of sewage into any river, stream, watercourse or lake, in any in-land area, the Local Authority may discharge and deposit the sewage or refuse by spreading out of the sewage or refuse in such manner as to make, after settlement, the land suitable for farming purposes.

(3) The Local Authority may use or allow such land to be used either free of charge or on payment of such charges as the Local Authority may fix, for sewage-farming or pisciculture provided that no article of food which is usually consumed raw without cooking or processing shall be produced in a sewage farm.

(4) All sewage farms shall be managed under the direction and supervision of an agricultural expert.

Restriction
on discharge
of Trade
effluents
and wastes :

16. No trade effluent or waste materials from any trade premises, factory, workshop or workplace shall be discharged or put into a public sewer or drain except under permission of and in accordance with the terms and conditions laid down by the Local Authority and in such manner as may be directed by the local Public Health Engineer or, where there is no such person, the Chief Public Health Engineer of the Directorate of Health Services.

House drain
connection :

17. In any sewered area the Local Authority may, on the application of the owner or occupier of any house or premises within 100 feet of the main sewer, connect the house drains and watercarriage system with the main sewer on payment of the fees and other charges as may be fixed by the Local Authority.

EXPLANATION :

Water-carriage system implies the arrangement in which privies, urinals and/or drains are

directly connected with and are flushed by water into the underground sewers.

18. (1) In any sewered area the Local Authority may direct by a written notice the owner or occupier of any house or premises situated within 100 feet of the main sewer of the Local Authority to instal the water-carriage system within a specified time.

House
connections
for sewers :

(2) If any such direction issued by the Local Authority is not complied with within the specified time, in addition to any penalty that may be imposed on the owner or occupier for such non-compliance, the Local Authority shall provide the water-carriage system for the house or premises and connect the same with the main sewer and realise the cost plus incidental expenses from the owner or occupier of the house or premises.

(3) In any sewered area the owner or occupier of any house or premises beyond 100 feet of the main sewer may with the permission of the Local Authority instal the water-carriage system and connect the same with the main sewer.

19. Any owner or occupier of any house or premises or any factory or business concern may with the approval of the Health Officer and written permission of the Local Authority, provide, instead of or in addition to the water carriage system, a septic tank or sanitary latrine for the disposal of the nightsoil. The effluent from the septic tank or sanitary latrine after proper treatment may be discharged into the main sewer or disposed of in such manner as may be approved by the Health Officer and Public Health Engineer.

Septic tanks
and sanitary
latrines :

20. House drains or sewers belonging to one or more premises may be connected with the drain or sewer of another premises with the consent of the owner, if such connection is feasible and is approved by the Health Officer, on such terms as may be mutually agreed upon.

House
drains of
one or more
premises :

21. A Local Authority may permit the construction of common privies, urinals and drains from any group of houses or huts in such manner as may be approved by the Health Officer and subject to the prescribed bye-laws.

Common
privies :

22. In urban, semi-urban and rural areas without any sewers, the Local Authority may require the construction of septic tanks dugwell or sanitary latrines and/or other method of hygienic disposal of nightsoil.

Sanitary
and dugwell
latrines :

23. (1) In every house in any unsewered area where a septic tank, dugwell privy, sanitary latrine or any other method of hygienic disposal of nightsoil is not feasible, the owner of the house shall provide a service privy of approved type.

Service
privies :

EXPLANATION:

Service privy means a fixed privy which is cleansed by hand but does not include a moveable commode.

- (2) The Local Authority shall be responsible for the proper collection in covered receptacles, quick transport and satisfactory disposal of nightsoil from service privies by trenching, composting or other method as may be prescribed by rules by the Government from time to time.

Distance from water supply :

24. No person shall construct a privy, latrine or cesspool within 50 feet of any source of water supply, except with the permission from Health Officer.

Nuisance from offensive matters :

25. No person shall allow the water of any sewer, privy, latrine, urinal or cesspool or any liquid offensive matter to run or to be drained into or to be thrown or put upon any street or open space or to leak through any external wall.

Public latrines and urinals :

26. A Local Authority may provide and maintain in proper condition sanitary privies or urinals at convenient places for the use of the public without causing any nuisance or injury to the health of the people of the locality.

Dustbins for refuse and garbage :

27. A Local Authority in an urban area or semi-urban area shall cause public dustbin or other convenient receptacles to be provided at suitable intervals and in proper and convenient situations :

and direct, by public notice, that all sweepings in any house or premises, and all rubbish garbage and offensive matter accumulating therein, shall be collected by the occupier of the house or premises and deposited in such receptacle :

Cleaning of roads and roadside drains :

28. Every Local Authority in an urban or semi-urban area shall make arrangements for daily sweeping of the public roads under its control and for removing the rubbish, dirt and other matter from such roads and from the dustbins and other receptacles, and for cleansing and flushing of the road-side drains.

Disposal of carcasses :

29. The Local Authority shall secure and set apart place away from the inhabited locality, and shall maintain the necessary staff for the removal and disposal of carcasses of dead animals in such manner as not to be a source of nuisance or danger to the people.

Local Authority to provide establishment :

30. (1) The Local Authority shall maintain the personnel and organisation for the removal of nightsoil, refuse and waste materials from all areas within its jurisdiction and for this purpose may make bye-

laws controlling the construction and maintenance of service privies, deposit of refuse and filth at fixed places during fixed hours, in household or common dustbins and the manner of collection and disposal of nightsoil, refuse and waste materials.

- (2) The Local Authority shall maintain an adequate number of nightsoil and sullage carts, hand carts, equipments and other appliances in proper working order for satisfactory service throughout the year.

31. The Local Authority may arrange for controlled tipping or dumping of refuse and offensive matter in low lands without causing any nuisance or injury to health of the people of the locality or in lands away from the inhabited areas or may arrange for their satisfactory disposal by incineration or by composting on scientific lines.

Equipment and vehicles :

32. Subject to rules framed by the Government in this behalf, the entire establishment of the Local Authority maintained for the purpose of collection and disposal of community wastes shall be under the direct control and supervision of the Health Officer or the Public Health Engineer of the Local Authority who shall have the power to take suitable disciplinary action in case of negligence of duty by any member of the staff.

Control and supervision of establishment :

33. (1) In every factory, industrial or business concern, or cinema, theatre or like places of public resort or any camp, colony or settlement, there shall be provision for—

Sanitary arrangements in certain places and areas :

- (i) sufficient number of urinals, privies, latrines, drains and sewers for use of the employees and their families living in houses, quarters and barracks provided for them by the factory, industrial or business concern and for the use of all persons resorting to cinema, theatre or like places of public resort and for the use of all persons living in camp, colony or settlement ;
 - (ii) sanitary disposal of nightsoil by water carriage system or by provision of septic tanks and sanitary latrines ;
 - (iii) removal of sullage water and effective drainage ;
and
 - (iv) collection and removal of all refuse, filth and offensive matters, within their respective jurisdictions.
- (2) For the above purposes, with the approval of the Health Officer and the permission of the Local Authority,
- (a) the sewers and drains may, subject to provisions of this chapter, be connected with the main sewers of the Local Authority, and

- (b) arrangements may be made with the Local Authority for removal and ultimate disposal of refuse, filth and offensive materials, in such manner and on such terms and conditions as may be specified by the Local Authority in each case.

- (3) In the event of dispute arising in the application of this Section, a reference shall lie with the Government whose decision in the matter shall be final and binding on all parties.

Register of sweepers for sanitation work and engagement in private houses :

34. (1) The Local Authority shall maintain an up-to-date register of all sweepers (including methars dhangars and domes) engaged in the collection, removal and disposal of community wastes under this chapter.

- (2) Such register may be maintained separately for each ward or block of the local area.

- (3) The Local Authority may, on the recommendation of the Health Officer or Public Health Engineer, remove the name of any sweeper on the grounds of misconduct, inefficiency or negligence of duty.

- (4) No sweeper who is not borne on the aforesaid register of a Local Authority shall engage himself or be engaged by any owner or occupier of a house or premises for sweeping and cleansing of privies, urinals or drains within the house or premises.

Absence from or abandonment of service :

35. A sweeper in the employ of the State Government or a Local Authority who, except in accordance with the terms of employment and permission of the authority concerned, relinquishes or abandons his post or duties or, without a reasonable cause to the satisfaction of the authority concerned, absents himself or abstains from his duties, shall be liable to summary dismissal in addition to other penalties as may be prescribed in this behalf.

Licensed Plumber to do works :

36. No person other than a licensed plumber shall do any work of installation, laying or repairing of water closets, drains, cisterns, flushing arrangements, pipes, drains, traps and fittings in connection thereof.

Levy of sanitation tax :

37. A Local Authority may, with the permission of the Government, levy a sanitation tax, in addition to water rate and other rates, for the purpose of the chapter.

PROVIDED THAT in case of rural areas such sanitation tax shall be levied only on the inhabitants of that part of rural area which is actually benefitted by the measures undertaken by the Local Authority.

38. With the approval of the Government and on such terms and conditions as the Government may decide, two or more Local Authorities may jointly provide for collection and disposal of community wastes or may enter into contract with a limited company for the purpose.

Combination and contract ..

39. The State Government may, in consultation with the Local Authority or Authorities concerned, establish a Joint Water and Drainage Board for providing, maintaining and administering the water works and removal of community wastes from the areas of two or more Local Authorities and may prescribe necessary rules for the purpose.

Joint Water and Drainage Board :

40. The State Government may from time to time prescribe rules generally for the purposes of this chapter and in particular for—

Rules :

- (1) standards for discharge of sewage into a body of water after due appraisal of the nature of receiving body and interests that will be affected,
- (2) standards for discharge of effluents from septic tanks and trade wastes into a system of sewers of the Local Authority or in any body of water,
- (3) discharge of sullage drains and sewage effluents in low lands for farming purposes,
- (4) determining the efficiency of sewage treatment plants,
- (5) hygienic collection and removal of nightsoil, offensive matters and refuse, scavenging, conservancy and ultimate disposal of such matters and carcasses,
- (6) schemes for improvement or extension of existing sewerage or drainage systems and execution of such schemes,
- (7) preparation and execution of schemes of drainage and sewerage and acquisition or use of private lands and all other matters in connection therewith,
- 7 (a) the publication of particulars of and the nature of any such work or scheme, its cost and the manner in which it will be financed and carried out and the manner of approval by the State Government,
- (8) standards for water closets, pipes, ventilators, and flushing arrangements of water carriage systems,
- (9) house connections for drains and sewers and the scale of fees or charges payable for such house connections,
- (10) standards for septic tanks, sanitary latrines, dugwells, privies and public latrines and urinals,

- (11) sanitary conveniences to be provided and arrangements to be made at specified places, areas or occasions,
- (12) employment, registration and discipline or conservancy, scavenging and other establishments.
- (13) licensing of plumbers and the regulation of charges for plumbing work in connection with drains and sewers,
- (14) levy of sanitation tax for any of the purposes of this chapter,
- (15) contract with limited company,
- (16) constitution and working of a Joint Water and Drainage Board.

CHAPTER XXVIII

Town and Village Planning

1. (1) If any area or areas are, in the opinion of the Local Authority, found to be unhealthy or unsuitable for human habitation or the housing accommodation is short of requirements or if the Local Authority considers improvement of any of its neighbouring area to be necessary for anticipated increase of population, growth of trade and industry and for provision of civic amenities, the Local Authority or Authorities concerned may, and if so required by the State Government shall, prepare and execute a Town or Village Planning Scheme for all or any of the purposes mentioned below :
 - (i) development of areas and development of satellite towns and villages in the neighbourhood of such local area for construction of new houses,
 - (ii) improving the environmental conditions of the area and providing sanitary facilities,
 - (iii) opening up and removing the slums and bustees for the purpose of rearrangement and reconstruction of the houses therein,
 - (iv) widening and realigning the roads and passages,
 - (v) providing or improving the water supply and drainage systems,
 - (vi) zoning of factories, industrial concerns and offensive and dangerous trades,
 - (vii) providing parks, playgrounds, recreation centres and other civic amenities, and
 - (viii) beautifying the general outlook of the town or village.
- (2) All such planning schemes shall be prepared after consultation with the Chief Public Health Engineer of the State Government or such other officer as the State Government may nominate.
- (3) Two or more adjoining Local Authorities may jointly prepare a Joint Planning Scheme.
- (4) In special circumstances or for failure of the Local Authority to initiate any planning for improve-

Local
Authority
to prepare
Town and
Village
Planning
Schemes :

ment of the urban or rural areas where such improvement is considered imperatively necessary, the State Government may direct the Local Authority or Authorities concerned to prepare a planning scheme after consultation with Chief Engineer of Public Health or such other officer as the Government may nominate and submit the same for approval of the Government within a specified time.

Approval
execution
of planning
schemes :

2. (1) Every Planning Scheme along with the proposal of the Local Authority or Authorities for the execution of such scheme shall be submitted to the State Government for approval and the Government may modify the scheme in such manner as it may think fit and may also reject it and direct the Local Authority or Authorities to prepare a fresh scheme.
- (2) When approving a Planning Scheme the Government shall indicate how the cost of execution would be met, and the amount which Government would pay as grant-in-aid and as loan.

State
Government
to prepare
Planning
Scheme :

3. If a Local Authority fails to prepare a scheme as required under Section 1 or submit the scheme for the approval of the State Government under Section 2, the State Government may itself prepare such a Planning Scheme and direct the Local Authority to execute the same within such period and in such manner as may be specified in the order.

Nature of
planning &
improvements
in
any scheme
for urban
area :

4. (1) Any planning or improvement scheme may provide for all or any combination of the following matters, namely,
 - (a) the acquisition of any land in the area comprised in the scheme which will, in the opinion of the Local Authority on the State Government, be required for or affected by the execution of the scheme.
 - (b) the laying out or relaying out of the land comprised within the scheme,
 - (c) the demolition, alteration or reconstruction of buildings situated on the land which it is proposed to acquire in the local area or areas,
 - (d) the construction of any building which may be necessary to erect for carrying out any of the purposes of this Act,
 - (e) the laying out of road alignment or construction or alteration of streets (including bridges, causeways, culverts and the approaches thereto), if required, and the levelling, paving, metalling,

flagging, channelling of such streets and planting of flower bushes or trees on the sides of such streets,

- (f) the sewerage and draining of such streets and the provision therein of water, lighting and other sanitary conveniences ordinarily provided in a municipal area,
- (g) raising, lowering or levelling of any land in the area comprised in the scheme,
- (h) the provision for housing accommodation for any class of inhabitants,
- (i) the formation and retention of open spaces, gardens, parks, playgrounds, lakes and the provision therein for field and aquatic sports, games, recreation and like purposes,
- (j) controlling the use of land developed by zoning or reserving areas for specific purposes, and
- (k) any other matter consistent with the purposes of this Act.

(2) When road alignments are prescribed under sub-section (1) (e) and when areas are reserved for specific purposes under sub-section (1) (j), it shall be the duty of the Local Authority in whose jurisdiction the land is situated, to prohibit and prevent their use in violation of such purposes.

5. If any dispute arises in the preparation or execution of a scheme for a development of a satellite town, with the Local Authorities of adjoining areas, the matter shall be referred to the Government whose decision shall be final.

Dispute
between
Local
Authorities:

6. Any planning for new villages or for the improvement of existing villages shall, amongst other matters, include in particular the following, namely—

Planning for
improvement
of
villages and
new
villages :

- (a) provision of water-supply for drinking, domestic and other purposes;
- (b) provision for drainage and for prevention of malaria;
- (c) provisions for hygienic disposal of community wastes including public sanitary conveniences of such types as are suitable to the population and the locality;
- (d) provision for village commons; common earth-taking grounds, common manure pits and grazing grounds;

- (e) provision for filling up or improving insanitary tanks, ponds and low-lying places within or in the proximity of the inhabited areas;
- (f) location of public building, bazars, centres of medical relief and health services, schools and such amenities;
- (g) road alignment, construction of new roads and passages, and improvement of existing roads and passages;
- (h) zoning of industrial and business concerns of offensive and dangerous trades;
- (i) indicating what redistribution of habitation is necessary for removing insanitary conditions;
- (j) provision of burning ghats and burial grounds; and
- (k) provision of places for the disposal of carcasses of animals.

Preservation of historical structures :

7. In every planning scheme care should be taken to preserve as far as possible existing places and structures of architectural, historic, religious or artistic interest.

Provision for housing of persons displaced :

8. In the preparation of any Planning Scheme provision shall be made for proper housing of the people displaced by the operation of zoning, slum clearance or bustee improvement or any other measure under the scheme.

Small holdings and dwelling houses :

- 9. (1) Under any Town or Village Planning Scheme, a Local Authority may own small holdings and may lease out or sell such holdings to families of lower income groups.
- (2) A Local Authority may also construct, own and let out dwelling houses, rooms, flats, barracks, tenements and such habitations to persons or families of lower income groups, working classes or to its own employees.

Agreement with Housing Societies :

10. The State Government may authorise a Local Authority to enter into an agreement with a registered company or co-operative society to prepare and/or execute a planning scheme on such terms and conditions as the State Government may approve, and the provisions of the foregoing Sections shall be applicable.

Declaration of land and areas for zoning, improvement and future development :

- 11. (1) Notwithstanding anything contained in the foregoing sections, the State Government may declare by notification any specified area or areas in and around a town or semi-urban area as reserved for future development purposes or for prevention of ribbon development along a highway of houses and buildings, and may prohibit the use of land in such area or areas except as permitted

by regulations made by the Government for the purpose of zoning of lands or areas to be used for residential, industrial, business, farming and other purposes.

- (2) The State Government may in like manner specify the alignment for future roads and passages and for improvement of existing roads and passages whereupon the land comprised within such alignment shall not be used for any other purpose.
- (3) For the purposes aforesaid the Government may, acquire necessary land including all structures thereon for effecting the development or enforcing the prohibition.

- 12. (1) In case of closure or removal of any factory, workshop, workplace or trade from any locality as a result of declaration under 11 (1) and (2), or acquisition under 11(3) by the State Government, compensation may be paid as may be determined by the Government.

Consequences of declaration and payment of compensation :

- (2) In case of any dispute or difference of opinion about the zoning, prohibition or payment of compensation, the matter shall be referred to a tribunal set up by the State Government and the decision of the tribunal shall be final.

- 13. (1) The Government may, for any region extending over the jurisdiction of several Local Authorities, constitute, after consultation with the Local Authorities and representative industrial concerns, a Regional Planning Board, to undertake Regional Planning Schemes for zoning of areas for different purposes, for improvement of housing conditions and environmental hygiene and for provision of civic amenities in order to accommodate, within limitations, a particular development planned for the people of the area.

Regional Planning Board and regional planning :

PROVIDED THAT in the case of industries of national importance likely to be affected by any such scheme, the State Government shall refer the matter to the Government of India.

- (2) A Regional Planning Scheme may include proposals for setting up new towns and villages at suitable sites and in any such proposal due regard shall be paid to the provisions of the foregoing sections of this chapter.

- 14. (1) The Regional Planning Board shall exercise the powers and functions of the Local Authorities for the respective areas.

Powers and functions of Regional Planning Boards :

- (2) The Government may prescribe rules relating to the constitution, conduct of business, provision of funds including levy of suitable contribution from the Local Authorities and industrial concerns, and powers and duties of the Regional Planning Boards,
- (3) The Government may assist the Regional Planning Board by suitable grants-in-aid and loans for the execution of any approved scheme.

Priority for
allocation
of materials:

15. The State Government may, on the representation of the Local Authority or the Regional Planning Board, allocate a portion of steel, cement, lime and coal products and transport facilities for town and village planning schemes and may also determine the priority of allocation of such materials.

Rules

16. The State Government may from time to time prescribe rules generally for the purposes of this chapter and in particular for—

- (1) manner of preparation and submission of any planning scheme for approval of the Government,
- (2) manner of execution of any approved scheme by any agency,
- (3) financial implications of any such scheme,
- (4) suitability of the site for any new town or village from the point of view of foundation, environmental condition, water-supply, drainage, contour of the land and danger from subsidance, meteorological conditions and diseases,
- (5) special organisations and societies for such planning scheme and for execution of such schemes where required by Local Authority or the State Government,
- (6) declaration and reservation of particular area or areas for specified purposes,
- (7) powers and functions of Regional Planning Boards,
- (8) allocation of materials and transport and other facilities,
- (9) provision for land or housing accommodation anywhere within the local area or within the State for persons displaced by such schemes,
- (10) acquisition and/or requisition of land or buildings for any of the purposes of this chapter,

CHAPTER XXIX

Housing

1. If a Local Authority is satisfied on the report of the Health Officer after proper investigation that the health of the people in any locality is being adversely affected by the narrowness or bad arrangement of the roads, passages and houses, lack of adequate sunlight, ventilation, water-supply, and proper sanitary conveniences or is due to overcrowding or to any other factor injurious to health, the Local Authority shall take immediate measures for the improvement of the conditions by adoption of steps :

Local Authority to take improvement measures :

- (i) for closure or improvement of any house or houses not suitable for human habitation,
 - (ii) for relieving the congestion of people,
 - (iii) for improving the water-supply and other sanitary conditions,
 - (iv) for widening and improving the roads and passages,
- and*
- (v) for all such measures as may be recommended by the Health Officer and the Public Health Engineering Officer of the Local Authority or the District Board.

2. (1) For the purpose of amelioration of the evils resulting from insanitary housing conditions the Local Authority may issue orders prohibiting or restricting the use of insanitary houses or for the improvement of or for demolition of such insanitary houses or blocks of houses and for replacing them with hygienically satisfactory dwelling houses, tenements or flats.

Local Authority may prohibit use of insanitary houses :

(2) If in the opinion of the Health Officer and Public Health Engineer a dwelling house or a group of houses is in a condition dangerous to live in or otherwise injurious to health so as to be unfit for human habitation, the Local Authority shall issue an order for the closure of the said houses and direct the owner or owners to effect such improvement and cause such repairs to be undertaken as to make the house or houses habitable and in case where no improvement is possible the Local Authority shall prohibit the use of such house or group of houses or buildings for human habitation.

Improve-
ment of
unhealthy
locality :

3. (1) If it appears after proper investigation to the Local Authority that the demolition or rearrangement of a group of houses or other structures or some of them is necessary to remove the unhealthy condition of any locality resulting from lack of proper lighting, ventilation and sanitary convenience or any other defect structural or otherwise, the Local Authority may take such steps as may be considered necessary for the improvement of unhealthy locality by demolition and reconstruction of the houses or structures as recommended by the Health Officer and the Public Health Engineer of the Local Authority or the District.

(2) The Local Authority may pay compensation to the persons adversely affected by such improvement measures on such scale as may be determined by the Collector.

Execution
of work and
costs :

4. All expenses incurred in the execution of any work under sections 2 and 3 shall be payable by the Local Authority and the Local Authority shall have the power to recover such expenses plus incidental charges from the owner or owners of lands and buildings benefitted by the improvement.

Survey of
Housing
accommoda-
tion and
conditions :

5. As early as possible after passing of this Act, every municipal authority and the Local Authority for any other area notified by the State Government in this behalf shall undertake a survey of the housing accommodation of the inhabitants of the area under its jurisdiction in order to ascertain—

- (a) what living accommodation is available in dwelling houses, tenements, flats, apartments, barracks, sheds, huts and shelters and whether the different kinds of accommodation are suitable and sufficient for the persons living therein and whether these are provided with adequate water-supply and essential sanitary conveniences,
- (b) whether any locality is congested due to over population or overcrowding of houses,
- (c) whether slum conditions exist in any locality and which of the slums and bustees require immediate sanitary improvement,
- (d) whether in any locality factories, industrial concerns, trades, workshops, depots and godowns by their location, working, emission of smoke, dust, discharge of wastes and vermin infestation give rise to nuisances or to conditions injurious to health,
- (e) whether in any locality the roads and passages are narrow, badly arranged and ill conditioned for

the traffic, for laying water mains, drains and sewers and for free ventilation and access of light
and

(f) whether sufficient open spaces exist for parks, playgrounds and other recreational purposes.

Any such survey of housing accommodation may be conducted simultaneously with the survey of water-supply as provided for in chapter XXVI and on the application of the Local Authority, the Directorate of Health Services shall render technical assistance.

6. If it appears from the survey report that more housing accommodation is needed or that action should be taken for improvement of insanitary areas, the Local Authority may, and if so required by the State Government shall, prepare and execute after consultation with the Public Health Engineer of the Government, a Housing Improvement Scheme for providing adequate healthful housing and accommodation and civic amenities for the inhabitants of the locality or localities as the case may be.

Housing im-
provement
scheme :

7. Every Housing Improvement Scheme by the Local Authority shall contain the following particulars :

Particulars
of such
scheme :

- (1) (a) the approximate number and the nature of the dwelling houses to be provided by the Local Authority in different parts of the areas under the scheme and the numbers of families to be accommodated therein from the working classes, lower income groups, new settlers and displaced persons as a result of slum clearance and zoning ;
- (b) the localities and the area or areas of lands in each locality required for the scheme and whether such lands belong to the Local Authority or have to be acquired ;
- (c) the period of time within which the scheme or different stages of the schemes might be completed ;
- (d) water-supply, drainage and public sanitary conveniences, disposal of waste materials and other civic amenities to be provided under the scheme.

(2) The proposal for Housing Improvement Scheme shall include a statement of financial provisions such as—

Financial
provisions
for such
schemes :

- (a) total estimated capital expenditure for the execution of the Scheme and recurring expenses for the working and maintenance thereof ;
- (b) the manner in which the initial expenditure will be met from the Local Fund, public contributions, if any, grant-in-aid and loans from the

State Government or any combination of these sources ;

- (c) the manner in which the recurring expenses will be met from the estimated income likely to be received from the sale and letting out of the lands and dwelling houses ;
- (d) manner in which the loans will be repaid and surplus, if any, will be utilised.

ngs : 8. Under any Housing Improvement Scheme, a Local Authority may own small holdings and may lease out or sell such holdings to families of lower income groups.

Av-
ty may
de
ation : 9. A Local Authority may construct, own and let out dwelling houses, rooms, flats, barracks, tenements and such habitation to persons or families of lower income groups and working classes or to its own employees.

orary
ng of
ers :- 10. In any construction work involving the employment 200 or more workers including supervisory staff at any particular site or place, temporary accommodation shall be provided for housing of such workers and supervisory staff and all such temporary housing accommodation shall be provided with water supply and the essential sanitary conveniences.

ission
ousing
s over
es : 11. (1) No scheme covering an area of 10 acres or over intended to be undertaken by any person, group of persons firm, company or society for the provision of small holdings or houses, flats, tenements or like structures for accommodation of the public or any section of the public or any class of workers or employees, shall be executed without the permission of the Local Authority and such permission shall be subject to the approval of the Director of Health Services.

- (2) Each such scheme shall indicate the lay-out of roads and passages, division into housing plots, open spaces, water-supply, drains and sewers and other sanitary conveniences essential for any housing scheme.

act for
tion of
ing
ne : 12. (1) The State Government may authorise a Local Authority to enter into agreement with a registered company or co-operative society to prepare and/or to execute a housing scheme on such terms and conditions as the State Government may approve and the provisions of the foregoing sections shall be applicable.

- (2) In the event of failure of completion of such scheme by the Local Authority within the specified period, the State Government may take over and carry out the same or engage another agency for the

purpose and also modify the Housing Improvement Scheme.

13. The State Government may, on the application of the Local Authority and on payment of such compensation as may be fixed by the Collector, acquire such land as may be necessary for any Housing Scheme and all rights of titles and easements over such lands shall thereupon vest in the Local Authority.

Local Au-
thority may
acquire
lands :

14. Before any permission is given for the establishment of a factory, mine plantation or industrial concern, the authorities of every such factory, mine, plantation or industrial concern employing 500 or more labourers shall make suitable provisions for the housing of at least 25 % of their workers in healthful environmental surroundings.

Accommo-
dation for
labour of
factory and
other
concerns :

15. (1) After the commencement of this act, construction of back to back houses shall be prohibited.

Restriction
on construc-
tion of
houses :

(2) In the construction of new houses or in the case of reconstruction and realignment of existing houses, particular attention shall be paid to the floor-area-ratio as may be specified by rules prescribed in this behalf by the State Government.

EXPLANATION : Floor-area-ratio means the ratio of the built-up portion to the total ground area of the plot of land, excluding the area covered by any proposed alignment notified by any competent authority or the State Government.

16. Government and Local Authorities may provide suitable housing accommodation for their employees and may give priority for conservancy workers and other essential services. Such accommodation shall be made available to the employees either free or on such rental basis as the Government may from time to time decide.

Housing for
employees of
Local Au-
thority and
Govern-
ment :

17. The Health Officer may prohibit the use and occupation of any house, building, shed, room, flat, tenement, barrack or any such accommodation or any part thereof, either existing or new, for use as human habitation if, in his opinion, it is not fit for human habitation by reason of lack or deficiency or defect in its water-supply and sanitary conveniences or it is in such condition as to be a nuisance or danger to health or life, unless and until the nuisances and the causes thereof are removed and such accommodation is provided with adequate water-supply, sanitary conveniences and drains or sewers in working condition and has sufficient daylight and ventilation and easy means of access to and from such accommodation are provided, to the satisfaction of the Health Officer and the Public Health Engineer.

Prohibition
for use of
unsuitable
house :

Bye-laws :

18. Every Local Authority shall, frame suitable bye-laws for construction and regulation of all buildings, houses, apartments, fittings and appliances thereof and for roads, passages, parks, public places and open spaces for public purposes.

Government may assume power and take action :

19. In the event of failure of the Local Authority to take necessary action for the improvement of the insanitary housing conditions or for provision or healthful housing accommodation, or for any other purpose under this chapter, the Government may exercise all the powers and functions of the Local Authority and take such measures as it may deem fit after giving due notice to the Local Authority about such action.

Unsuitable lands for housing accommodation :

20. No person shall erect a new building, house, shed, barrack for human habitation on any ground which has been filled up with offensive vegetable or animal matter or upon which any such matter has been deposited, unless and until the Health Officer certifies that such matter has been properly removed by excavation or otherwise, or has become or been rendered innocuous.

Distances from burial or burning grounds :

21. No house, building, shed or barrack for human habitation shall be built within 400 yards of any trenching or composting ground or within 100 yards of a burial or cremation ground except with the approval of the Local Authority on the recommendation of the Health Officer.

Prohibition for use of, infected house :

22. (a) The Health Officer may prohibit the use of any apartment, house, building, tenement, flat, barrack, shed, or shelter or any part thereof which has been recently occupied by any person suffering from infectious diseases.
- (b) The Health Officer may by notice direct the owner to take such measures as disinfection, disinfestation, replastering, whitewashing or any other work considered necessary in order to make the house safe and fit for human habitation.
- (c) The Health Officer may carry out the necessary works and the expense incurred by him shall be realised from the owner who has failed to comply with the direction of the Health Officer within the time specified in the notice.

Rules :

23. The State Government may from time to time prescribe rules generally for the purposes of this chapter and in particular for—

- (1) the manner of survey and investigation of housing accommodation and conditions and the assistance and supervision by the Public Health Engineering Division of the State Government,

- (2) removal of slum conditions, insanitary or unhygienic housing conditions and prohibition of use or construction of such houses,
- (3) zoning of areas for different purposes,
- (4) preparation, approval and execution of Housing or Housing Improvement schemes by different agencies,
- (5) small holdings and cheap housing accommodation for lower income groups or other sections of the public,
- (6) location of houses for working classes near their places of work,
- (7) alternative accommodation at any suitable place for persons displaced by any such scheme,
- (8) house building conditions and provision of sanitary conveniences,
- (9) accommodation of factory labourers within or near their working places.

CHAPTER XXX

Improvement of Slum and Bustee Areas

Slum and
bustee
areas :

1. Any plot of land, measuring 0.25 acre or over, containing or occupied by or for the purpose of any collection of huts or other types of houses, may be declared by a Local Authority as a slum or "bustee" area requiring improvement, if in the opinion of the Local Authority, unhygienic conditions prevail in such area due to overcrowding of people or houses, bad layout, unsatisfactory collection and removal of excreta, filth and refuse, insufficient water-supply, lack of drains and sewers and for other nuisances and immediate improvement of the area is considered necessary.

Cleansing,
lighting,
water-
supply and
sanitary
conveni-
ence :

2. The owner or owners of a bustee or slum area shall be responsible for proper cleansing and lighting of bustee area and for provision of adequate water-supply and sanitary conveniences in accordance with the prescribed rules, for the residents of the area. In the event of failure of the owner or owners to perform the duties under this Section, the Local Authority may itself provide for cleansing, lighting, water-supply and other sanitary conveniences and realise the cost plus incidental charges from the owner or owners of the bustee.

Investiga-
tion of
scheme :

3. (1) In areas outside any Municipal Corporation the Local Authority may cause the slum area to be inspected by the Health Officer and Public Health Engineer or any other officer of the Local Authority after giving due notice to the owners and residents of such area and cause a scheme for sanitary improvement of the slum area to be prepared by the Health Officer or Public Health Engineer of the Local Authority or the District Health Organisation.

(2) Such officer or officers, with such assistance as may be necessary, shall have the power to enter into, inspect, take measurements and take other steps as may be necessary for the investigation and preparation of the improvement scheme and no person shall obstruct such action.

Provisions
in the
Scheme :

4. The scheme prepared under Section 3 by the Health Officer or Public Health Engineer shall provide for all or any of the following matters :

(i) the manner in which the area should be laid out with the houses and huts standing in regular lines

along passages of such width as may be necessary for free access of light, proper ventilation and scavenging ;

(ii) demolition, removal, improvement or reconstruction of any building, hut or other structures within the area ;

(iii) the laying of drains and sewers for general use of the householders ;

(iv) water-supply, bathing arrangements and privies and urinals ;

(v) lighting of streets and passages ;

(vi) filling up or improvement of the tanks, holes, ditches, dobas and lowlands,

5. No such scheme shall be put into operation unless it is accepted by the Local Authority after due notification and consideration of objections to such scheme.

Hearing of
objections
to and
approval of
the scheme :

PROVIDED THAT when the area of the land covered by the scheme exceeds 3 acres, the scheme shall not be accepted by the Local Authority except with the approval of the Director of Health Services.

6. A Local Authority may direct the owner or owners of a slum or bustee area, either singly or jointly, to provide the passages, rearrange the houses or huts, lay out water and sewer mains and provide the required number of stand-posts or taps for water-supply, sanitary conveniences, light and other facilities as are necessary for the improvement of the slum or bustee or to execute the scheme or any part thereof within a specified time and in such manner as may be specified in the improvement scheme.

Responsi-
bility of
owner :

7. The Local Authority may advance suitable amounts from its own fund to the owner or owners not exceeding two-thirds of the value of the land in the condition prior to improvement and the advance shall be repayable in the manner determined by the Local Authority.

Assistance
to owner :

8. In the event of the failure of the owner or owners to complete the work within the specified time the Local Authority may take possession of the land, all structures and materials as if they have been duly acquired at the value equivalent to the amount advanced and proceed with the execution of the improvement scheme and may either return the land structures, as may be standing thereon to the previous owner or owners after recovery of the advances, if any, made under Section 7 and after realisation of the cost of improvement plus incidental charges or, with the approval of the State Government, otherwise utilise or dispose of them.

Power of
Local Au-
thority to
take action :

- Acquisition: 9. (1) The Local Authority may, for the purpose of improvement of any slum or bustee area, acquire the whole or part of the area and any land adjacent thereto, including the huts, houses and other structures thereon.
- Betterment fee: (2) The Local Authority may realise, according to rules prescribed, betterment fees from the owners, lessees or occupiers of houses or lands which are adjacent to the improved area and are benefitted by the improvement scheme.
- PROVIDED THAT in case of any deficit, being the difference between the cost of improvement and the realisation of the sale value and betterment fees under the foregoing sections shall be borne in equal share by the State Government and the Local Authority.
- Assistance and advance from Government: 10. The State Government may, on the application of a Local Authority, render technical and financial assistance in the preparation and execution of slum clearance and bustee improvement scheme and advance the whole or part of the amount required for the acquisition and execution of the scheme and recover the loan in such manner from the sale value and funds of the Local Authority as the State Government may decide.
- Use of acquired land for purposes: 11. (1) If any lands or holdings or any buildings thereon in the improved area are not returned to the owner or owners under Section 8, or in any area acquired under Section 9, the Local Authority may, with the approval of the State Government, instead of selling out the plots or holdings or the buildings, if any, themselves erect dwelling houses or tenements and either sell or let out the same for use of families of working classes, of lower income groups, or employees of the Local Authority or of the Government, as the State Government may direct.
- (2) The State Government may render such financial assistance for the purpose as may be deemed necessary.
- Agreement with improvement societies: 12. The State Government may authorise a Local Authority to enter into agreement with a Co-operative House Building or Improvement Society and may advance as loan to the Society such amount and on such terms and conditions as the State Government may determine for the execution of any approved scheme for slum and bustee improvement and the loan shall be repaid by the Local Authority in the manner provided in Section 10.

13. The State Government may from time to time prescribe rules generally for the purpose of this chapter and in particular for— Rules:

- (1) determining the conditions and limits of a slum or bustee area,
- (2) manner and nature of sanitary and other measures required for the residents of any slum or bustee area,
- (3) investigation and preparation of a scheme for improvement of slum or bustee area including publication of the scheme and consideration of objections,
- (4) assistance to owner or owners in providing the necessary improvements,
- (5) functions of the Local Authority regarding improvement of slum and bustee areas,
- (6) manner of financial adjustments and imposition of betterment fees,
- (7) utilisation of land and holdings for the purposes of the Local Authority or other purposes,
- (8) assistance from State Government and repayment thereof,
- (9) contract with other agencies for preparation and execution of any scheme.

CHAPTER XXXI

Improvement Trust

1. The State Government may, at any time establish a Board of Trustees for the improvement of any specified area or areas within the State for carrying out all or any of the purposes of the foregoing chapters mentioned below and on the creation of such Board of Trustees, the powers and duties of the Local Authority or Authorities in respect of such purposes shall vest in the Board of Trustees.

PROVIDED THAT the Director of Health Services and the Chief Public Health Engineer shall be ex-officio members of any such Board of Trustees.

The chapters referred to above are :

- Chapter XXVI—Water-supply.
- " XXVII—Disposal of Community Wastes.
- " XXVIII—Town and Village Planning.
- " XXIX—Housing.
- " XXX—Improvement of slum and bustee areas.

2. The State Government may define the area or areas to be covered by any such Board of Trustees and determine the composition, powers and duties of any such Board.

3. The State Government may prescribe rules for the conduct of business of the Board, funds of the Board and their utilisation and the manner in which the work of development and/or improvement, including housing accommodation, in any area may be carried out for the purposes mentioned in Section 1.

CHAPTER XXXII

Control of Malaria and other Mosquito Borne Diseases.

1. The State Government may by notification enforce the provisions of this chapter to the whole or any part of the State.

Application of this Chapter :

2. The Director of Health Services or when authorised by the State Government, any Local Authority constituted under any Act, shall be deemed to be the "Competent Authority" to conduct the anti-mosquito operations in accordance with the rules prescribed by the State Government.

"Competent Authority"

3. If the Competent Authority is of opinion, after due investigation, that any water collection is or is likely to be a breeding ground of mosquitos due to shallowness, stagnation, seepage, slow movement of water, presence of aquatic vegetation, inequalities of depth or any other condition leading to formation of 'puddles' and mosquito-breeding water-edges, the Competent Authority may, with the approval of the State Government, divert, eliminate, enlarge, deepen or take such other action with regard to same as would reduce or prevent mosquito-breeding.

Prevention of mosquito breeding by Competent Authority :

"Water Collection" for this chapter means and includes any water channel, "beel" pond, ditch, doba, tank, and reservoir.

4. The Competent Authority shall have the power to direct the owner and the occupier of the premises or land containing any water collection to take such measures as would reduce the breeding of mosquitoes and for this purpose to divert, eliminate, enlarge or deepen water collections, to remove the aquatic vegetation, to cleanse or drain off the shallow water collection, to excavate the tank or reservoir or to prevent access of mosquitoes by wire-netting and other means or to fill up, eliminate or otherwise to control the same water collection and/or to treat with larvicides in the prescribed manner and to maintain the same and take such other measures as may be specified by the Competent Authority.

Prevention of mosquito breeding by owner or occupier of lands and premises :

5. (1) The State Government or the Local Authority may provide waterways for introduction of silt-laden water into channels, drains, beels, ponds, tanks and other water collections where such admission of silt-laden flux is in the opinion of the Govern-

Introduction of silt-laden water :

ment or Local Authority, necessary for prevention of mosquito breeding and the owners and occupier of the said water collections, shall not in any way obstruct the influx of silt-laden water, or the owners and occupiers of intervening lands shall not in any way obstruct the free passage of silt-laden water across the intervening lands.

- (2) No person shall put or raise any obstruction or barrier or fishing device in the passage of the silt laden water.

Action in respect of household cans and other containers, excavations & ditches:

6. (1) The owner or occupier of any house, building or shed or land shall not therein keep any bottle vessel, can or any other container, broken or unbroken in such manner that it is likely to collect and retain water which may breed mosquitoes.

- (2) Where any small excavation, or treehole is likely to breed mosquitoes the competent authority may by written order require the owner or occupier thereof to fill up such excavation or treehole or take such measures as to prevent breeding of mosquitoes.

Provision for common earth taking:

7. (1) The competent authority may provide or may set apart by notification any land, tank, ditch, or doba as the common earth-taking ground from which earth may be taken for construction and repair of houses and huts, sheds and other structures or for filling up small ditches, dobas and excavations within the specified area. No person shall dig any hole or excavation anywhere within the specified areas.

- (2) The State Government or Local Authority may for this purpose acquire any land or accept as a gift any piece of land or lands.

Drainage schemes for prevention of mosquito breeding:-

8. For the purpose of preventing breeding of mosquitoes, the State Government and, with the approval of the Government and after consultation with the Chief Engineer, Public Health, a Local Authority, may undertake drainage schemes for any part of the State or local area provide either surface or subsoil drainage or any such measure under the scheme.

Action in respect of moribund or dead streams or channels:

9. (1) The State Government and with the approval of the Government, a Local Authority may excavate any moribund or dried up stream or channel for the promotion of public health and in particular to afford drainage of the neighbouring areas and to eliminate the stagnant pools and water collection therein.

- (2) The State Government and with the approval of the Government, a Local Authority shall have the power to take possession of, without payment of any compensation, the dry beds of any dead river or channel for the aforesaid purpose of re-excavation.

10. No person shall put any obstruction by immersion of boats or fishing tackles, or construct any bund or barrier so as to obstruct the flow of water in any stream, channel or drain. Obstruction to flow of water:

11. No embankment for roads and any other purposes which is likely to interfere with the natural drainage of the State or any part of the State shall be raised except with the approval of the Director of Health Services. Embankments:

PROVIDED THAT such embankments shall be as far as possible along and not across the lines of natural drainage and shall be provided with sufficient openings to allow free flow of water.

12. No bridge, culvert or obstruction shall be put in any river, ditch, channel or drain unless the invert level of such structure is lower than the level of the adjoining lands on either side. Bridges and culverts:

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

PROVIDED however that very shallow borrowpits which are obliterated by merging with cultivated lands shall be exempt from the operation of this section.

14. (1) The State Government and with the approval of the Government, a Local Authority may introduce anti-mosquito sprayings of houses and buildings and of water-collections in any local area and may for this purpose levy a fee on the residents of such area on such scale as may be prescribed by the Government. Anti-mosquito sprays and charges thereof:

- (2) The State Government or the Local Authority may engage and maintain anti-mosquito squads for the aforesaid purpose. Anti-mosquito squads and inspectors:

- (3) It shall be lawful for the members of such squad and inspecting officers to enter upon any land or into any premises, house or room, for the purpose of Power of entry and facilities:

this and foregoing sections after giving sufficient notice to the residents, who shall give all facilities to such members and inspecting officers.

Government or Competent Authority to execute necessary measures & realise cost :

15. In the event of any person or persons failing to comply with the directions of the competent authority or the State Government in respect of any matter under this chapter, the competent authority or the State Government may itself execute the works or take the necessary measures and may realise, either the whole or a portion of the cost incurred, from the person or persons concerned in such manner as the State Government may determine.

Area under jurisdiction of State Government and Government of India :

16. In case of any dispute or difference of opinion in the execution of any Anti-mosquito scheme or in its operation or any work under this chapter in which the jurisdiction of the Government of India or the Government of any other State is involved, the matter shall be referred to the Government of India.

Distribution and sale of antimalarial drugs ;

17. The State Government shall, as far as possible, arrange for free distribution of antimalarial drugs for treatment of malaria patients through the agency of the State Health Services and the Local Authorities and for sale of such drugs through such agencies as may be approved by the Government.

Epidemic outbreak of malaria :

18. In the event of an outbreak of malaria in epidemic form in any locality the Local Authority shall immediately arrange for intensive anti-malaria campaign and report the fact immediately to the Director of Health Services, who may render to the Local Authority such assistance as he may deem necessary.

Rules

19. The State Government may from time to time prescribe rules generally for the purposes of this chapter and in particular for—

- (1) the powers and duties of the Competent Authority,
- (2) the manner of conducting anti-mosquito and anti-malarial operations,
- (3) introduction and passage of silt-laden water and for flood-flush operations.
- (4) surface and subsoil drainage of any type,
- (5) larvicidal and insecticidal measures,
- (6) action in respect of water-collections, open drains, cesspools, wells, borrowpits and all other places where mosquitoes breed,
- (7) levy of local tax for anti-mosquito and anti-malarial measures,

- (8) duties and responsibilities of owners of lands and houses in preventing mosquito breeding,
- (9) action in respect of moribund or dead rivers and channels,
- (10) obstructions to natural flow of water by embankments, bunds, fishing tackles or otherwise,
- (11) distribution and sale of anti-malarial drugs.

CHAPTER XXXIII

Places of Pilgrimage

Notification
of places of
pilgrimage :

1. The State Government may declare by notification in the official Gazette, what areas should be considered as pilgrimage centres for the purpose of this chapter and may define the limits of such areas.

Tax on
visitors :

2. The State Government or, with the approval of the State Government, the Local Authority may impose a pilgrim tax, on such scale as may be prescribed by the Government, realisable from every visitor to the notified area of the pilgrimage centre, by the State Government, Local Authority or any agency or lessee duly authorised in this behalf.

Tax on
means of
transport :

3. The State Government or, with the approval of the State Government, the Local Authority may also impose a tax or toll on all vehicles, boats and inland vessels carrying persons and/or goods by roads or waterways to the notified area of the pilgrimage centre at such rates or scales as may be fixed by the State Government for different kinds and sizes of such vehicles, boats or vessels.

Standards
for water-
supply and
sanitary
conven-
iences in
places for
accommoda-
tion of
pilgrims :

4. The Government may prescribe by rules the standards for accommodation, water-supply and sanitary conveniences to be provided in dharamsalas, serais and lodging houses, barracks, sheds and other places and the licensing of all places for accommodation of pilgrims in pilgrimage centres.

Licensing of
such places :

5. No license shall be issued to any person for accommodation of pilgrims in a place which is not satisfactory from hygienic point of view and is not provided with adequate supply of potable water from piped system or from tubewells or from such sources as are protected from contamination, and with necessary sanitary conveniences.

Licenses
may be
revoked :

6. The license to maintain a place for accommodation of pilgrims may be suspended or revoked for failure of maintaining the place in proper sanitary condition or for overcrowding, or violation of the terms and conditions of the license.

Inspection
and super-
vision :

7. (1) The Health Officer of the Local Authority shall periodically inspect and supervise the working of such places and shall ensure steps for the removal of the insanitary conditions existing therein and

for provision of proper and adequate water-supply, sanitary conveniences, light, ventilation, arrangement for cooking and bathing places and other measures for improvement of sanitation and for this purpose may direct the owner, manager or keeper to carry out such works as may be specified by the Health Officer.

(2) If the owner, manager or keeper of such places fails to comply with such directions, the Local Authority may itself carry out the work and realise the cost from the owner, manager or keeper.

Improve-
ment
measures :

8. During the period of gathering of pilgrims the Local Authority shall make special arrangements for the collection and removal of community wastes and for prevention of flies and other nuisances and may realise the whole or part of the cost incurred for such purposes from the owners, managers or keepers of the places for accommodation of visitors and from the organisers of any fair or festival for gainful purposes.

Collection
and removal
of wastes :

9. (1) The Local Authority shall arrange for permanent or temporary medical relief and public health measures, as the requirements may be, in all pilgrimage centres including provision for isolation and treatment of persons suffering from infectious diseases.

Medical &
Health
Services :

(2) If the Local Authority fail to provide the necessary medical relief and public health measures or if the arrangements made are, in the opinion of the Government, inadequate or unsatisfactory, the State Government shall provide the same and realise the whole or a portion of the expenses incurred for the purpose from the funds of the Local Authority in such manner as the Government may determine.

10. The State Government may, by notification, establish an 'Ad-hoc' Sanitary Authority in a permanent pilgrimage centre with municipal powers and functions for the improvement of hygienic conditions, enforcement of the provisions of this Act and other enactments and realisation of rates and taxes for such purposes.

Ad-hoc
Authority,
if neces-
sary :

11. The provisions of this chapter may, by notification, be made with necessary modifications applicable to camps, settlements or such other places where a large number of people from other places have gathered or have elected to stay.

Provisions
may be
applicable
to camps &
settlements :

Provisions for urban areas may be applicable to camps, settlements and places of pilgrimage :

12. The State Government may by notification, extend to any camp, settlement or pilgrimage centre the provisions relating to medical relief and public health measures applicable to urban areas and authorise any officer of the Government or Local Authority to exercise the powers and duties of a municipal authority within such area.

Rules:

13. The State Government may from time to time prescribe rules generally for the purposes of this chapter and in particular for--

- (1) notification of any area as a pilgrimage centre and the limits of such area,
- (2) imposition of pilgrims tax and tax or toll on transport vehicles,
- (3) terms and conditions for issue of licenses, scales of fees payable, and suspension or cancellation of such licenses for places of accommodation of pilgrims.
- (4) maintenance of pilgrim registers,
- (5) duties of owners, managers or keepers in the event of incidence of dangerous diseases,
- (6) standards of accommodation for persons or families, water-supply, lighting, ventilation and sanitary conveniences,
- (7) collection and removal of community wastes and other sanitary measures in the interest of public health and imposition of special charges,
- (8) constitution of Sanitary Authority, powers and functions, funds and manner of conducting business by such Ad-hoc sanitary authority,
- (9) application of provisions relating to medical relief and public health measures in municipal areas to pilgrimage centres.

CHAPTER XXXIV

Health Resorts

1. The provisions of this chapter shall apply only to such places as are declared by the State Government as Health Resorts by notification in the official Gazette. Areas to be notified :

PROVIDED THAT no areas shall be declared as Health Resorts if the areas are not considered to be generally free from outbreaks of dangerous diseases and have no sources of good water-supply, facilities for drainage and disposal of community wastes.

2. (1) The Local Authority concerned shall ensure that every such place of Health Resort has sufficient and hygienically satisfactory living accommodation for the people resorting thereto. Accommodation :

(2) With the approval of the State Government, the Local Authority may construct and provide such living accommodation.

3. It shall be the duty of the Local Authority to arrange for the provision of adequate supply of potable water, satisfactory drainage, adequate medical relief and public health services and transport facilities for use of the persons resorting thereto. Water, Sanitary conveniences and Health Services :

4. The State Government may, on the application of the Local Authority, assist the Local Authority in development of permanent places of Health resorts, including the provision of the required sanitary conveniences and facilities. Assistance by Government for permanent Health Resorts :

5. The Local Authority may permit use of tents and temporary structures according to approved plan at suitable places reserved for the purpose on the recommendation of the Health Officer or the Public Health Engineer. Use of tents and temporary structures :

6. Local Authority may at any time close the Health Resort or restrict the influx of visitors to prevent overcrowding, creation of insanitary conditions or spread of dangerous diseases. Restriction & closure :

7. (1) In the event of outbreak of any dangerous disease, the Local Authority shall take necessary measures to check the spread of the disease and may direct the visitors to leave the place within a specified Outbreak of infectious diseases :

time and all persons shall act according to such directions.

- (2) The Local Authority shall not be liable to pay any compensation to any person affected by such order or action of the Local Authority.

Register of lodging houses and eating houses: 8. The Local Authority shall maintain a register of all lodging and eating houses at health resorts along with the names and addresses of the owners, managers and keepers thereof.

Licensing of lodging houses and eating houses: 9. No person shall establish or maintain any lodging house or eating house at any health resort without obtaining a license from the Local Authority on payment of such fees and on such terms and conditions as may be prescribed by the Local Authority.

Cancellation of licenses: 10. The Local Authority may, at any time, revoke the license if in its opinion the owner, manager or keeper is not a fit person by reason of his insolvency, character or conviction in any court of law or, if in the opinion of the Health Officer or the Public Health Engineer, the lodging or eating house is not maintained in satisfactory hygienic condition or is in such a state as to endanger human life.

Local tax: 11. The Local Authority may with the approval of the Government, impose a local tax on the visitors and may prescribe bye-laws for the collection of and credit of such tax to the fund of the Local Authority.

Contract for management: 12. A Local Authority may enter into contract with any person for the performance of the duties of the Local Authority under this chapter.

Inspection: 13. The Health Officer of the Local Authority and any officer deputed by him, or authorised by the State Government shall have the power to inspect any lodging house, eating house or camp, to ensure that the requirements of this chapter are being fulfilled.

Rectification of defects and deficiencies: 14. Any defect or deficiency detected in course of such inspection shall be rectified by the owner, manager or keeper of any place of accommodation in such manner and within such time as may be specified by the inspecting officer, failing which the owner, manager or keeper shall, in addition to any action taken by the Local Authority under Section 10, be liable to penalty including a daily fine until the defects and deficiencies are rectified.

Local Sanitation Committee: 15. The State Government and, with the approval of the Government, a Local Authority may constitute a Local Sanitation Committee for the administration of medical relief and public health measures and the application of the provisions of this chapter in a Health Resort and may define its power, duties and responsibilities.

16. The State Government may from time to time prescribe rules generally for the purposes of this chapter and in particular for— Rules:

- (1) declaration of any area and the limits of such area or areas as health resorts,
- (2) establishment, management and control of places for accommodation of visitors to health resorts,
- (3) arrangements for adequate supply of water and other sanitary conveniences,
- (4) development of health resorts with assistance from the State Government,
- (5) advertisements to attract people to such places,
- (6) inspection, supervision and control of lodging and eating houses by licensing,
- (7) visitors tax and its realisation,
- (8) contract for management and performance of the duties of the Local Authority,
- (9) constitution, duties, functions and conduct of business of Local Sanitation Committee.

CHAPTER XXXV

Holiday Camps

Holiday
Camps:

1. A Local Authority may establish and maintain holiday camps for use of visitors from outside the local area and may charge on a scale to be determined by the Local Authority for accommodation and use of the Camp during the period it is open for such purpose.

EXPLANATION: A Holiday Camp means a place or centre of public resort which is frequented by people, for short or long periods, for the purpose of recreation, sports and holiday-making.

License for
Holiday
Camps:

2. Any person or organisation desirous of establishing and/or maintaining a holiday camp, either temporary or permanent, shall submit to the Local Authority an application furnishing a detailed description of the camp including information on the site, climate, physical condition, accommodation for camping and staff and sanitary facilities to be provided therein.

Local inves-
tigations:

3. The Local Authority may, after such investigation as it may deem necessary, issue a permit for the establishment of a holiday camp, if it is satisfied that

- (a) the general hygienic conditions are satisfactory and the place is free from any dangerous or endemic disease which might constitute a danger to the campers,
- (b) sanitary conveniences are adequate and in satisfactory working condition,
- (c) the quality of drinking water is good and is available in sufficient quantity,
- (d) accommodation and other arrangements are satisfactory, and
- (e) foodstuff available in the locality for the use of the campers are wholesome and of good quality and not contaminated by dust or flies.

Restriction
on visitors:

4. Persons suffering from the following category of diseases shall not be allowed to attend, or to stay in, a holiday camp:

- (1) Tuberculosis disease of any kind,
- (2) Suppurating skin diseases,
- (3) Epilepsy.

(4) Psychosis or Neurosis,

(5) Infectious diseases and

(6) Diseases of the eye, ear, nose and throat.

5. All visitors shall be vaccinated against smallpox not more than three years before and immunised against typhoid and cholera not more than six months before the visit to the Camps.

Vaccination
& Inocula-
tion:

6. The authorities of every Camp shall have at its disposal a qualified medical practitioner with assistants and with essential medical supplies, disinfectants, insecticidal sprays and other requisites.

Medical &
Health
Services:

7. In the event of outbreak of any dangerous disease in the camp, the camp authorities shall immediately inform the Health Officer and shall make immediate arrangements for isolation and treatment of all affected persons by qualified medical practitioner and shall take all necessary measures to prevent the spread of infection as may be advised by the Health Officer or any person authorised by him.

Outbreak of
infectious
disease:

8. The water of any built-up swimming pool within the camp, if any, shall be of such quality and shall conform to such standards as may be prescribed by the Health Officer.

Swimming
Pool:

9. The Camps and all land and houses appertaining thereto shall be maintained in clean hygienic condition, free from jungles, filth and offensive matters and the living accommodation, kitchens and other structures shall be in good repair and whitewashed at least once a year.

Sanitary
condition of
the camps:

10. Local Authority may, with the approval of the State Government, make byelaws in respect of establishment of holiday camps, maintenance of sanitary conditions and other purposes of this Chapter.

Bye Laws:

CHAPTER XXXVI

Park, Playground and open Spaces.

Local Authority to provide places for recreation:

1. (1) The Local Authority may provide, as far as possible, open spaces, parks, playgrounds, commons, swimming tanks, and other amenities for use and enjoyment of the people and may frame byelaws regulating their use.

A Local Authority may reserve any such place for exclusive use of women and children.

Combination of Local Authorities:

- (2) Two or more Local Authorities may jointly provide and maintain open spaces, parks, playgrounds and water areas.

Apparatus for games & provision of boats:

2. The Local Authority may, as far as possible, provide and maintain in good order swings, chutes, playing bars, rockers or such apparatus for games and recreation for children free of charge and may also provide boats and diving platforms for hire at a nominal charge in tanks and water collections intended and let out for water sports, rowing and swimming purposes.

PROVIDED THAT no tank reserved for supply of water for drinking and other domestic purposes shall be permitted to be so used for boating, swimming or sports.

Porting fields:

3. Local Authority may let out any park, commons or land for sporting fields and may permit erection of tents, sheds or galleries on such terms and conditions as Local Authority may prescribe.

Sanitary conveniences and prevention of nuisances:

4. (1) Every such park, playground or commons, shall be provided with seating arrangements, water supply, urinals and latrines and these shall be maintained and kept clean either by the Local Authority or by the person or club to whom it has been let out.
- (2) Every such park or playground shall be properly levelled and shall have suitable drains so as to prevent any stagnation of water.
- (3) Local Authority shall maintain every such place in a clean and tidy condition and free from nuisances.

Pasture lands:

5. (1) The Local Authority may likewise provide pasture lands for use of domestic cattle.

- (2) Pasture land may be let out at such fees as the Local Authority may from time to time prescribe and no person shall graze his cattle on such common pasture without permission from the Local Authority.

- (3) In all common pastures there shall be adequate water supply for drinking and washing of cattle.

6. The Local Authority may prescribe the hours and restrictions for use of any park, palyground or pasture and may, at any time, prohibit the use of any such place for any purpose other than games and recreation and close any such place for all purposes.

Hours and closure:

7. A Local Authority may purchase, take lease of or otherwise acquire land and water areas for the purpose of this chapter and may dispose of any disused and abandoned park, palyground or pasture or any water collection belonging to the Local Authority in any manner the Local Authority may deem fit.

Right to acquire and dispose of lands and water areas:

8. Local Authority may, with the approval of the State Government, make byelaws for use of parks, playgrounds and open spaces, management of swimming pools, sporting fields, sanitary conditions and other purposes of this Chapter.

Bye Laws:

CHAPTER XXXVII

Miscellaneous Institutions.

Rules for sanitation of halting places :

1. The State Government may prescribe rules for sanitation of waiting rooms at river ghats and at convenient places on road transport routes and for the provision therein of sleeping or seating accommodation, drinking water, sanitary latrines, urinals, bathing and washing facilities and for periodical disinfection, disinfestation, lime-washing and repairs at these places.

Byelaws regarding places of entertainment :

2. Local Authority shall adopt bye-laws regulating the sanitary condition of cinemas, theatres, music halls, public libraries and other places of public entertainment and to ensure comfort, safety and provision of sanitary conveniences for persons visiting them.

Licensing of such places :

3. No such place of entertainment shall be established or run except under and otherwise than in conformity with the terms and conditions of a license, from the Local Authority.

License may be suspended or revoked :

4. The Local Authority may temporarily suspend the license for violation of any of the terms and conditions of the license or for infringement of any bye-laws and may also revoke any license where the owner, keeper or manager fails to rectify the defects.

Standards for sanitation of such places :

5. The State Government may prescribe by rules the standards for supply of water, lighting, ventilation, minimum space for seating or living accommodation, number, size and location of kitchen, bathing places, sanitary latrines and urinals and all such matters relating to sanitation of any such place of public entertainment or river ghat or halting places referred to in Section 1 and Section 2.

Inspection and supervision :

6. (1) The Health Officer and the Public Health Engineer for the local area shall have the power to enter and inspect any such place aforesaid at any time with or without notice to the owner, manager or keeper of such place and to give necessary directions for rectification of defects and deficiencies, if any, by the owner, manager or keeper thereof.

(2) The owner, manager or keeper shall be liable to prosecution besides cancellation of the license for failure to comply with the directions of the Health Officer or the Public Health Engineer.

CHAPTER XXXVIII

Fairs and Festivals

1. The State Government, and with the approval of the Government, the Local Authority may declare any area or areas in which a fair or festival is usually held or is to be held, to be a notified area or areas for the purpose of this chapter for such period as may be specified.

Notification of areas :

2. The State Government or the Local Authority with the permission of the Government, may impose a visitors' tax on such scale as may be prescribed by the Government realisable from every visitor to the fair or festival by the Government, Local Authority or any agency or lessee duly authorised in this behalf.

Visitors' tax :

3. The Government or the Local Authority may impose a toll or tax on all vehicles and vessels, inland ships and boats carrying persons or goods by roads or waterways to the notified area at such rates or scales as may be prescribed by the Government for different kinds and sizes of such vehicles or vessels.

Tax on transport vehicles and vessels :

4. (1) No person shall establish or hold any fair or festival without obtaining permission from the Magistrate and a license from the Local Authority on payment of such fees and under such terms and conditions as may be prescribed by the Local Authority.

License permission :

(2) The permission and license may be revoked by the Magistrate or the Local Authority respectively.

(3) In the event of an outbreak of dangerous epidemic disease in the notified area or its immediate neighbourhood or for other causes endangering human life and property, the District Magistrate may, at his discretion direct the closure of the fair or festival and no person shall be entitled to any compensation for any loss or damage resulting from such closure.

5. The layout and the arrangements of the fair or festival ground shall be in accordance with the recommendations of the Health Officer and the Public Health Engineer, who shall have the power of entry, supervision and control over the working of the fair or festival by the licensee.

Layout, supervision & control :

Local Authority may prescribe for various arrangements:

6. The Local Authority may make byelaws for—

- (i) the demarkation of the boundaries of the notified fair and festival area,
- (ii) the lay-out and disposition of the stalls, shops and structures including residential structures and open spaces in the fair or festival,
- (iii) provision for resting houses, pilgrim houses, lodging houses in such places,
- (iv) provision of safe water-supply, lights, drainage, sanitary latrines, urinals, bathing and washing places,
- (v) provision for collection and removal of human and animal excreta, refuse, garbage and nuisances,
- (vi) provision for medical relief, hospitalisation, detection and isolation of infectious cases and prevention of spread of infectious diseases by immunisation, disinfection and other measures.
- (vii) provision for sale or free distribution of wholesome food cooked or manufactured in sanitary surroundings and stored in such manner as to prevent contamination by dust and flies.

Collection and removal of community wastes:

7. (1) During the period of gathering of visitors the Local Authority shall make special arrangements for the collection and removal of community wastes and for the prevention of flies and other nuisances and may realise the whole or part of the cost incurred for such purposes from the owners, managers or keepers of the places for accommodation of visitors and from the organisers of the fair or festival,
- (2) Where there is no licensee for any fair or festival or any other place of congregation of people, the Local Authority shall be responsible for providing at its own cost the necessary arrangements mentioned in Section 6.

Prohibition of trade or business within certain distance:

8. (1) No person shall manufacture or sell or store any article of food or establish or maintain a hotel, eating house and park any cart or vehicle or any boat or vessel within a range of half a mile beyond the outskirts of the notified area without the permission of the Local Authority.
- (2) Any person violating the provision of Sub-section (1) shall be liable to prosecution and to payment of tolls, rents or fees as if the places where such acts have been done are within the notified fair or festival area.

9. The provisions of this Act relating to pilgrimage centres eating houses, lodging houses and markets shall be applicable within the notified area with such modifications as may be considered necessary.

Application of provisions of other chapters:

10. The Health Officer and any officer of the Government or Local Authority authorised by the Government or the Local Authority shall have the power to prevent entry into the notified area of persons suspected to be suffering from dangerous diseases or of persons who do not produce evidence of immunisation performed within such time and in such manner as may be prescribed by the Government or Local Authority.

Prevention of dangerous diseases:

11. The State Government may prescribe rules generally for the purposes of this chapter and in particular for—

Rules:

- (1) notification of areas for fairs and festivals,
- (2) issue, suspension and cancellation of licenses and permits,
- (3) imposition and collection of rates and scales of taxes and tolls,
- (4) sanitation and control of epidemic diseases in the notified area and in other areas of congregation of people,
- (5) regulation of trade and business within and near notified area.

CHAPTER XXXIX

Burial and Burning Ground.

Local Authorities to provide burial and burning grounds:

1. (1) A Local Authority may, and if so required by the State Government shall, provide suitable place for burying, burning or otherwise disposing of the dead bodies according to different religious customs at reasonable distances from the inhabited areas. Two or more Local Authorities may, and if so required by the State Government, shall jointly provide burial or burning grounds or other places for disposal of dead bodies.

(2) A Local Authority may, subject to such terms and conditions as the Local Authority may determine, grant licenses for private burial and burning grounds.

(3) The Local Authority may fix the scale of charges payable at any public burial or burning ground provided by the Local Authority under section 1 (1).

(4) A Local Authority may provide for crematorium and may fix the charges payable by the friends or relatives of the deceased for cremation of the dead body.

Caretaker & sanitary provisions:

2. Each burial or burning ground shall be provided with lighting arrangement, adequate water-supply including safe drinking water, waiting accommodation and other sanitary conveniences, and shall be in charge of one or more caretakers who shall keep the place clean, free from rank vegetation, filth and nuisances.

Registration of deaths:

3. The Local Authority shall arrange for proper registration of all dead bodies buried or burnt or otherwise disposed of.

Certificate for cause & time of death:

4. The caretaker shall not permit the burial or burning of dead body except on production of a certificate showing the probable cause and time of death and signed by a registered medical practitioner or a member of the Local Authority for the locality in which the deceased was resident.

Clothings & beddings:

5. The clothing and bedding in which the dead body has been carried to the burial or burning ground shall be buried or burnt according to the religious tenets. Such

clothing or bedding shall not be allowed to be taken away by any person.

6. Every Local Authority shall arrange for thorough disinfection of all vehicles and bulky articles not disposed of under Section 5 and used for carriage of the dead body, free of charge, in a disinfecting station.

Disinfection of vehicles:

7. Except under permission from the Local Authority, no dead body shall be buried, burned or otherwise disposed of in any place other than a place mentioned in Section 1 (1) and (4) or a private burial or burning ground licensed for the purpose under Section 1 (2) and without registration of the death.

Licensing of private burial or burning ground:

8. In the case of unclaimed dead bodies or of dead bodies for the disposal of which the friends and relatives of the deceased person are too poor to pay the cost of burial or burning, the Local Authority may, on written certificate of the Medical Officer, or a member of the Local Authority for the locality where the deceased was a resident, arrange for the burial or burning of the dead body through such agency as the Local Authority may engage for the purpose.

Dead bodies of poor persons or from hospitals:

9. A burial or burning ground and lands adjoining any such place or a crematorium shall not be used for a park or playground or for a market, bazar or any public place of entertainment.

Restriction for use of land near burial or burning ground:

10. A Local Authority may at its discretion permit erection of memorials and tablets on a suitable site at or near the place of disposal of the dead body by the friends or relatives of any deceased person on such condition as the Local Authority may prescribe.

Memorials & tablets:

11. The State Government may make rules generally for the purposes of this chapter and in particular for—

Rules:

- (1) setting apart suitable lands for disposal of dead bodies,
- (2) licensing of private places for disposal of dead bodies,
- (3) charges to be paid for disposal of dead bodies,
- (4) registration of deaths

CHAPTER XL

Lodging Houses.

Licensing of
lodging
houses :

1. (1) No person shall establish or maintain a lodging house which term includes an inn, hotel, mess, boarding house, choutty, sarai, dharamshala or any such place where sleeping accommodation with or without food is made available to the public, either free or on payment of rent, for short or long periods, without obtaining a license from the Local Authority on payment of such fees and in accordance with such terms and conditions as may be prescribed by the Local Authority.

(2) The license shall be renewable every year by the licensee within 15 days prior to the date of expiry, or by his successor within 15 days of transfer of ownership to the heir in case of death of the owner or to any other person by gift, lease or sale.

(3) Every change of the name or address of the keeper, owner and manager shall be registered with the Local Authority within 15 days of such change.

Licensing of
keeper,
owner or
manager :

2. (1) Local Authority may refuse to grant a license to any person as keeper, owner or manager of a lodging house unless the Local Authority is satisfied about the character and fitness of the person for the position.

(2) No license shall be issued to any person as a owner, keeper or manager of a lodging house if he is a declared insolvent or has been convicted for the third time for the violation of any of the terms and conditions of the license or for any offence under this Act or any other enactment in force.

Register of
Licences :

3. Every Local Authority shall keep a Register of Licences, that have been issued for the establishment of maintenance of lodging houses or such accommodation. The Register shall contain, along with other matters, particulars of accommodation sanctioned for families and persons of either sex not constituting families.

Approval of
Health
Officer and
Public
Health
Engineer :

4. (1) No lodging house shall be licensed as such until it has been inspected and approved as suitable for the purpose by the Health Officer and the Public Health Engineer of the Local Authority.

(2) The license issued by the Local Authority shall be hung up in a prominent place of the lodging house.

5. Every keeper of a lodging house shall maintain an up-to-date register of all persons admitted in a lodging house with particulars about name, age, sex, profession and home address, the time and date of arrival and departure.

Register of
visitors :

6. No person suffering from any manifest sign of infectious disease shall be admitted or allowed to stay in any lodging house.

Restriction
for persons
suffering
from
infectious
disease :

7. The keeper or any person for the time being in charge of any lodging house shall exercise due supervision over the working of the lodging house and maintaining it in clean and hygienic condition and he shall be responsible for the observance of the terms and conditions of the license and the provisions of this Act and rules and bye-laws thereunder.

Responsi-
bility of
keeper and
manager :

8. Local Authority shall have the power to establish, own and maintain lodging houses the working of which shall be regulated in accordance with the rules and bye-laws applicable to such places established by others.

Local Au-
thority may
establish,
own and
maintain
lodging
houses :

9. A Local Authority may, with the approval of the Government, adopt bye-laws regulating the establishment and maintenance of lodging houses and—

Bye-laws :

(i) for promoting cleanliness, lighting, ventilation, supply of water for drinking, cooking, bathing and washing purposes, removal of filth and nuisance, disinfection, provision of sanitary conveniences and periodical lime washing and repairs,

(ii) for prohibiting the employment of any person suffering from tuberculosis, leprosy or venereal diseases or suspected to be a carrier of an infectious disease,

(iii) for medical attendance, treatment and care of sick lodgers,

(iv) for giving prompt intimation to the Health Officer and taking precaution in the event of occurrence of any case of infectious disease.

10. A printed copy of the bye-laws in the language of the place and Rastra Bhasha relating to the maintenance of the lodging houses and the instructions for the lodgers as may be issued by the keeper of the lodging houses, shall be hung up in every room so as to be easily seen by the lodgers.

Bye-laws &
instructions
to be dis-
played :

11. The State Government may make rules generally for the purposes of this chapter.

Rules :

CHAPTER XLI

Eating Houses.

Eating
Houses :

1. Every eating house such as refreshment rooms, tea shops, sweetmeat shops, restaurants, cafes, canteens, hotels and any such place where food and drinks are prepared or served but no lodging accommodation is provided (except for the workers), shall be licensed by the Local Authority on payment of such fees and on such terms and conditions as the Local Authority may prescribe.

Licensing
of eating
houses :

2. (a) License shall be renewable every year and the license may not be renewed in cases of repeated violation of the terms and conditions.

(b) Violation of any terms, conditions or bye-law may render the license to be cancelled, besides other penalties.

Register of
licensed
houses :

3. The Local Authority shall maintain an up-to-date register of all such eating houses with the names and addresses of their owners, managers and keepers as noted in the licenses.

Water
Supply :

4. (a) All eating houses shall be provided with adequate supply of safe water for drinking and cooking purposes and for the personal use of the workers living in the house and for cleansing and washing of the floors, sinks, basins, privies, urinals, and drains as may be required by the Health Officer.

(b) Only hot water shall be used for the purposes of cleansing the utensils, crockeries, cutlery and other articles used in cooking, handling and serving of foodstuffs.

(c) Every such eating house shall be well ventilated, well-lighted and shall be cleaned at least once every day and shall be lime-washed not less than twice a year.

Power of
entry and
inspection :

5. The Health Officer of the Local Authority or any officer of the Government or Local Authority authorised by the Government or Local Authority shall have the power to enter, inspect and seize any article of food or utensil and take samples of water and foodstuffs for examination at any time during the working hours of the eating house and no person shall cause any obstruction to such work.

6. The Local Authority may prescribe bye-laws regarding the hours of opening and closing, seating arrangements, sanitary conveniences, lighting, ventilation, incidence of infectious diseases, use of copper vessel, stale and noxious foods, water-supply, and in respect of all matters relating to the maintenance of eating houses.

Bye-laws
by Local
Authority :

CHAPTER XLII

Markets

Establish-
ment of
markets &
hats :

1. A Local Authority may establish and maintain markets or "hats" at suitable places for the convenience of the people and may permit, by issue of licenses, private persons to establish and maintain markets or hats.

AND for this purpose the Local Authority may acquire, purchase or take lease of any land, building or structure for establishing a market or hat or may take over existing marketing or hat from the owner.

Licensing
of markets
and hats :

2. (a) No person shall establish or maintain a market or hat without license from the Local Authority and permission of the Subdivisional Magistrate.

(b) Each such license shall be renewable every year and the Local Authority may for sufficient reasons refuse such renewal.

Licensing of
vendors
outside
markets :

3. No person shall, elsewhere than in a market, sell or hawk about any fish, meat or vegetable or carry on trade or business in foodstuff from any shop, stall or shed or as a squatter except under a license from the Local Authority.

Improve-
ment of
markets
or hats :

4. The Local Authority may direct the owner, or lessee of any existing market or hat to rearrange the stalls, shops, sheds, godowns and other structures of the market or hat and to open up such passages, approaches and spaces as may be specified by the Health Officer or Public Health Engineer and the owner or lessee shall comply with the directions within the specified time, failing which the Local Authority may carry out the rearrangement plan at the cost of the owner or lessee.

Water-
supply and
sanitary
conven-
iences :

5. Every market or hat shall be provided with sufficient water-supply, drainage, sanitary latrines and urinals and the stalls for sale of meat and fish shall be on raised plinth with, as far as practicable, impervious floor as may be specified by the Health Officer or Public Health Engineer, failing which the owner or lessee shall be liable to cancellation of license in addition to any other penalty.

Cleaning &
scavenging :

6. The Local Authority may provide establishment for scavenging and cleaning of a market and hat and may, for this purpose, levy a market or hat charge on the owner or lessee of a private market or hat.

7. (1) The Local Authority may establish or permit the establishment of a slaughter house as an integral part of the market or hat and may fix the scale of fees for use of such slaughter house. Slaughter House

(2) Each such slaughter house shall be located in a corner away from the approaches to the market or hat and shall have proper water-supply, drains, fittings and pits and other rooms required for a slaughter house.

8. The Local Authority may, with the approval of the Government, adopt bye-laws for regulating the establishment of a market or hat, slaughter house, issue of licenses and renewals, disposition of stalls, shops, godowns and other structures, cleansing, lighting, provision of water-supply and sanitary conveniences, removal of nuisances, realisation of tolls, rents and fees and all other purposes in connection with any market or hat. Bye-laws :

CHAPTER XLIII

Control of Foodstuffs

Provisions
supplemen-
tary to
other en-
actments :

Inspecting
Officers :

Licensing &
conditions
for sale of
certain
articles of
food and
drink :

Seizure and
destruction
of decom-
posed
and un-
whole-some
foodstuff :

1. The provisions of this chapter are in addition and supplementary to the provisions in Central and State enactments, orders, rules and regulations in force and shall not mean or be interpreted to mean anything contrary to or in contravention of any such provision, order, rule or regulation.

2. The State Government may empower the Medical Officer of Health, the Health Officers and the Food Inspectors appointed under the Central Act 37 of 1954, or any class of officers in the employ of the Government or of a Local Authority to enter, any place, at any time by day or night, with or without previous notice and to inspect and seize any animal or food and any utensil or vessel used for preparing, manufacturing or containing any article of food, during manufacture, store, sale, distribution or in the course of transit of such animal or food.

3. (1) No person shall sell or offer or expose for sale any milk or dairy product, sweetmeat, fruit, vegetables betels (ready for chewing), ice, icecream, aerated waters, syrups or soft drinks, fruit juice, sugarcane juice or 'neera', confectionary and prepared food or drink of any kind except under and in accordance with the conditions of license granted by the Local Authority.

(2) No sale of any such article shall be permitted at any place near any stable, public latrine, drain or manhole.

This restriction shall apply to sale from any house, shop or stall (moveable or otherwise) and to sale on roads and roadsides.

4. (1) No person shall sell or distribute, either himself or by any other person, any food either cooked or raw and including any fish, meat, vegetable or fruit, which has become decomposed, putrid, rancid or foul-smelling or has been otherwise rendered unwholesome, unfit for human consumption or injurious to health.

(2) If, in the opinion of an inspecting officer authorised under section 2, any such article appears to be unwholesome or unfit for human consumption or

injurious to health, the inspecting officer may forthwith seize and,

(a) with the consent of the owner or the person in whose possession it is found, forthwith destroy or cause it to be destroyed in such manner as to prevent its use for human consumption,

(b) if such consent be not obtained, then—

(i) if the article is of a perishable nature, it may with the approval of any magistrate or the Health Officer or Medical Officer of Health likewise be destroyed, and

(ii) if the article is not of a perishable nature, it shall be dealt with in accordance with the provisions of section 11 (4) of the Central Act 37 of 1954.

(3) The expenses incurred in taking any action under sub-section (2) shall be paid by the person who was in possession of such article at the time of seizure.

5. In any prosecution for adulterated and misbranded food the court shall, unless and until the contrary is proved, presume that any article of food found in the possession of a person who is in the habit of manufacturing, preparing, selling, storing, distributing or carrying on in transit like articles has been manufactured, stored or carried for sale or distribution for human consumption by such person.

Presumption
in prosecu-
tion :

6. The State Government may direct any or all public analysis to furnish to the Local Authority or to any officer of the Government copies of certificates of analysis of all or any class of articles received by him for the purpose of examination from Food Inspectors, Health Officers or any authorised person of the Government or Local Authority or from any individual or purchaser.

Copies of
certificates
to be sent to
Government
or Local
Authority :

7. No person shall without or otherwise than in conformity with the terms of a license granted by the Local Authority shall—

Licensing
for sale of
meat and
fish :

(1) carry on within the jurisdiction of the said Local Authority the trade or business of a butcher, or

(2) sell or expose or hawk about for sale any meat or fish intended for human consumption in any place other than a licensed market, bazar or shop.

Nothing in this Section shall apply to sale of meat or fish in any hotel or eating house for consumption on the premises.

8. (1) No person shall bring into any local area, without permission in writing of the Health Officer, the flesh of any animal slaughtered outside the local

Restriction
on sale of
meat from
outside :

area or other than in a slaughter-house maintained or licensed by a Local Authority.

- (2) Any flesh brought into the local area in contravention of sub-section (1) may be seized by the Health Officer or food inspector of the Local Authority or any person authorised by him in that behalf, and sold or otherwise disposed of as the Health Officer may direct and in case of the sale, the sale-proceeds shall be credited to the funds of the Local Authority.

- (3) Nothing in this section shall be deemed to apply to cured or preserved meat imported in sealed containers or to meat of animals killed for religious offerings.

Inspection
of animals
and
carcasses
and meat
food
products:

9. (1) For the purpose of prevention of the use of meat and meat products which are unsound, unwholesome or otherwise unfit for human consumption, the Health Officer may cause to be made by Sanitary or Veterinary inspectors in the employ of the Government or of the Local Authority inspections and examinations of all cattle, sheep, goats, poultry and swine, as may be reasonably possible before the slaughter and before the meat is sold to consumers or converted into meat food products by the various processes of meat canning, dehydrating or salting.
- (2) The Health Officer may cause to be made post-mortem examinations, after slaughter of the animals, of the carcasses or parts thereof and if the carcasses or any part thereof is found to be unsound, unwholesome or unfit for human consumption, he may condemn the same and cause it to be stamped accordingly: meat thus condemned shall not be used for production of any meat product or sold for human consumption.
- (3) The Director of Health Services may likewise cause all meat and meat products, prepared, manufactured or imported in the State to be inspected and examined by persons competent to do so, who shall if he is satisfied that the meat food product, whether bottled, canned or packed in canvas or other containers as the case may be, is unsound, unwholesome or unfit for human consumption, condemn and order the destruction of such meat or meat food product in such manner as may be prescribed.

Prohibition
of eating
flesh of dead
animals:

10. No person shall knowingly eat the flesh of any animal which has died from natural causes.

EXPLANATION: It shall be no defence to a prosecution under this section that the flesh was

consumed as a matter of custom or as a matter of right on account of services rendered in removing the dead animal, or on any other ground.

11. On the recommendation of the Director of Health Services the State Government may prohibit or suspend by notification for a specified period, the importation into the State or from one area to another area within the State, of livestock or poultry which are diseased or infected with or exposed to infection of any disease so as to endanger the life of other animals within the State, and may revoke or remove such prohibition or suspension order as the public good may require in the interest of health and agriculture.

Restriction
of move-
ment of
infected
animals:

12. The State Government may make rules generally for the purposes of this chapter and in particular for— Rules:

- (1) empowering the food inspectors and other officers or class of officers of the State Government or Local Authority to take action in respect of foodstuffs,
- (2) licensing of sellers of specified foodstuff and the conditions of such license,
- (3) prescribing the authority competent to pass orders in respect of unwholesome foodstuffs and destruction of such foodstuff,
- (4) examination of animals and carcasses, fish, meat and meat products,
- (5) restriction on movement of infected animals.

CHAPTER XLIV

Milk Supply .

Duty of
Local
Authority
regarding
milk supply:

1. A Local Authority may arrange for adequate supply of good milk to the people, specially children and expectant and nursing mothers within its area.

Model
Dairy by
Local
Authority :

2. A Local Authority may establish Model Dairy with farm for production and supply of good milk and the State Government may make grants-in-aid for the establishment of such Model Dairy and may lay down standard requirements for such establishment.

PROVIDED THAT the sanitary condition of such dairies shall be maintained to the satisfaction of the Health Officer.

Government
may estab-
lish and
maintain
dairies and
may sub-
sidise :

3. The State Government may establish and maintain dairies, grazing grounds and cattle sheds, anywhere within the State and may subsidise any person, organisation or authority for the establishment, extension, maintenance equipping or furnishing thereof, for grazing grounds, for provision of facilities for and in connection with transport of milk and other dairy products, for purchase of stud-bulls and for establishment of depots or stores for sale of milk and other dairy produce and for pasteurisation and processing of milk and milk products, on such terms and conditions, as the Government may determine.

Licensing of
Dairies or
"Khataals"
in urban
areas :

4. (1) When in an urban area the main source of milk supply is from private dairies or "Khataals", no person shall establish or maintain his dairy in the congested part of the area.

(2) The Local Authority may require any owner or keeper of more than 5 heads of milch cows and/or buffaloes, to obtain a license for the purpose on payment of the prescribed fees.

Issue of
licenses :

5. (1) No person shall without or otherwise than in conformity with a license granted by the Local Authority carry on the business or trade of a dairy, or of seller of milk.

(2) No person shall be licensed under sub-section (1) sub-clause (1) unless the Health Officer of the Local Authority or any person authorised by him is, after due enquiry, satisfied that the sanitary conditions of the dairy from which milk is obtained

are satisfactory in respect of ventilation, cleansing, drainage and water-supply.

6. Any officer of the State Government or of the Local Authority when so authorised shall have the power to inspect dairies and the domestic cattle so as to ensure that proper sanitary arrangements are made—

(i) for securing the purity of milk,

(ii) for the health and good condition of the milch-cattle,

(iii) for cleanliness of milk vessels used therein,

and (iv) for protection of milk against infection or contamination.

7. (1) If on inspection it is found that milch-cattle is suffering from a disease which is likely to spread infection or cause any person consuming the milk to be infected, the inspecting officer may cause such animal to be segregated or seized and sent to a veterinary hospital treatment.

(2) When any animal has been segregated or sent to any veterinary hospital under sub-section (1), it shall be detained there until it is cured and is safe for use as a milch animal.

(3) The cost of treatment in the hospital may be realised from the owner and if the owner refuse or neglect to pay, the Local Authority may direct the animal to be sold and the proceeds to be applied to the payment of such cost.

8. If the Health Officer or any person duly authorised by him suspects that tuberculosis is caused or is likely to be caused by the consumption of milk supplied by a person or a dairy, the Health Officer shall cause an investigation to be made with such assistants as may be necessary and if as a result of investigation he is of opinion that sale or supply of such milk should be stopped in the interest of public health, he shall report the matter to a magistrate (not below second class) for issue of necessary orders for stoppage of sale or supply of such milk for human consumption.

9. No person shall—

(1) sell or offer for sale, hawk about or expose for sale or distribute for human consumption or for use in the manufacture of products for human consumption, or

(2) use or suffer to be used in the manufacture of products for human consumption,

Sale of milk
of diseased
cattle :

Infected
milch cattle:

Tuberculous
milk :

Inspection :

the milk of any cow which has given tuberculous milk or is suffering from emaciation due to tuberculosis or from tuberculosis of the udder or from acute inflammation of the udder or from anthrax or foot-and-mouth disease.

PROVIDED THAT such person shall not be liable to any penalty if he can prove that he had no knowledge or reason to believe that the cow was giving tuberculous milk or was suffering from any such disease.

Notification of infectious case :

10. Every owner, manager or keeper of dairy shall forthwith notify the Health Officer or a veterinary officer of the Local Authority or State Government about the incidence of any case of infectious disease amongst the cattle.

Distribution of milk for certain class of persons :

11. The State Government, and with the approval of the Government, a Local Authority may arrange for securing and distributing either free or at a reduced price, particularly for the use of expectant and nursing mothers, children and invalids, full-cream or skimmed milk, condensed milk, evaporated milk, milk powder, synthetic or soyabean milk in any area within the State and the expenses for such distribution may be met either by State Government or shared between the State Government and the Local Authority as the Government may decide.

Restriction on use of milk :

12. The State Government and, with the approval of the Government, a Local Authority may regulate the sale of purchasable quantity of milk in any local area or part thereof, exclusively for the use of expectant and nursing mothers, infants, children, the aged and invalids and may for this purpose restrict the use of milk for production of sweetmeats, confectioneries, cream and other articles.

Rules :

13. The State Government may make rules generally for the purposes of this chapter and in particular for—

- (1) establishment, management, control and supervision of model dairy,
- (2) grants-in-aid or subsidy for model dairy,
- (3) licensing of dairies, "khatals" and milkmen,
- (4) restriction on persons suffering from diseases to be engaged in handling milk and milk products,
- (5) inspection and action in respect of milk and milk products and sale of infected milk,
- (6) control of available milk supply for distribution or use of certain class of persons and restriction on use of milk for certain purposes,
- (7) notification and action in respect of infected milch cattle.

CHAPTER XLV

Drug Control

1. The provisions of this chapter shall be in addition to and supplementary to the provisions of Drugs Act and other enactments of the Central and State Government relating to drugs and poisonous substances and shall not mean or be interpreted to mean anything contrary to or in contravention of any provision, rule, order or regulation under the said Act or Acts.

Provisions supplementary to other enactments :

2. Drugs include—

Articles to be recognised as drugs :

- (1) articles recognised as such in the Drug Act, and
- (2) medical and other substances exclusively used or prepared for use in accordance with the Ayurvedic Unani or any other system of Medicine, and
- (3) articles used as components of (1) and (2) above.

3. Drugs named under Pharmacopoeas of different systems of Medicines shall comply with the requirements of such pharmacopoeas as may be specified by the State Government from time to time.

Drugs under different systems of Medicine :

4. (1) A drug shall be deemed to be adulterated if its strength differs from, or its purity or quality falls below, that which it purports to be or is represented to possess and no person shall sell any such drug which is adulterated.

Adulterated and misbranded drugs :

(2) No person shall sell any drug

- (i) unless its label bears adequate directions for use and such adequate warnings against its use in certain pathological conditions or by children, where its use may be dangerous, or method or duration of administration of application in such manner or form as are necessary for protection of users,
- (ii) if it contains any substance as is designated or known to be habit forming unless its label bears the name and quantity or proportion of such substance or derivative and in juxtaposition therewith a statement—"Warning—may be habit forming",
- (iii) if it is a drug liable to deterioration unless it is packed in such form or manner and its label bears

- (a) a statement of such precautions as are necessary to retard the deterioration, *and*
 - (b) the date of manufacture or packing and the date after which the drug is likely to deteriorate to such extent as to lose appreciably its potency and efficacy or otherwise become dangerous or unfit for use,
 - (iv) if the name and/or the composition of which is such that such drug is not generally recognised among experts qualified to evaluate the safety of drugs, as safe for use under the conditions prescribed, recommended or suggested in the labelling thereof.
5. The State Government may prescribe rules generally for the purposes of this chapter.

CHAPTER XLVI

Cosmetics

1. "Cosmetics" mean articles intended to be rubbed, sprinkled or sprayed on or otherwise applied to the human body or any part thereof for cleansing, beautifying or as a make-up or as a religious custom and include articles intended for use as components of any such article. Cosmetics

2. A cosmetic shall be deemed to be adulterated Adulterated cosmetics:

- (a) if it bears or contains any poisonous or deleterious substance which may render it injurious to users under such conditions of use as are customary or usual: provided that these provisions shall not apply to coal-tar hairdye, the label of which bears the following warning conspicuously displayed thereon: "Caution—this product contains ingredients which may give rise to skin irritation on certain individuals and it must not be used for dyeing the eyelashes or eyebrows; to do so may cause blindness."
- (b) if it consists in whole or part of any filthy, putrid or decomposed substance, *or*
- (c) if it does not conform to the specifications and standards prescribed by the State Government.

3. A cosmetic shall be deemed to be misbranded Misbranded cosmetics:

- (a) if its labelling is false or misleading in any particular or does not conform to specifications prescribed by the Government;
- (b) unless it bears a label containing the name and place of business of the manufacturer, packer or distributor, *and*
- (c) in case of a cosmetic liable to deteriorate, the date upto which it will keep without deterioration under usual conditions of storage and use.

4. No person shall directly or indirectly, himself or by any other person on his behalf sell, expose or hawk about for sale or manufacture or store for sale or distribute or carry in transit a cosmetic which is adulterated or misbranded. Sale of adulterated or misbranded cosmetic:

Specifica-
tions and
standards:

5. The State Government may prescribe the specifications and standards of chemical contents of any cosmetic and the manner of packing and labelling for sale of any such article.

Procedure
for exami-
nation and
dealing with
cosmetics:

6. (a) The State Government may authorise the Health Officer or any class of officers to inspect and examine any cosmetic and if it is suspected to be adulterated or misbranded, to deal with it in the same manner as if it were an article of food.
- (b) Any purchaser of a cosmetic may likewise send a sample of cosmetic for examination and if found adulterated or misbranded, to deal with it as if it were an article of food.
- (c) Provisions relating to control of adulteration of food shall be applicable mutatis mutandis in the case of cosmetics.

CHAPTER XLVII

Slaughter House

- 1 (a) The Local Authority may establish and maintain or permit by license any private person or persons to establish and maintain a slaughter house for the purpose of killing cattle or animals for sale of meat. Local Authority may provide slaughter house:
- (b) No person shall kill any cattle or animal for sale of the meat as food except at a recognised slaughter house.

PROVIDED THAT killing of cattle or animals as part of religious offerings shall be outside the operation of this Section.

2. A slaughter house shall be located away from residential areas and may, with the permission of the Local Authority, be located in or near a market. Location of a slaughter house:

3. Local Authority may arrange for inspection of the animal by a veterinary surgeon or a competent person before the animal is killed and may also arrange for inspection of the meat and organs for the purpose of certification of the meat for use as food. Inspection before and after slaughter:

4. (a) No person shall carry on the profession of a butcher in a slaughter house or elsewhere except under a license from the Local Authority. Licensing of butcher:
- (b) Such license may not be given to, or may be cancelled in the case of, a person who is in the infective stage or is found to be a carrier of any infectious disease.

5. The Local Authority may prescribe bye-laws fixing the hours of working and scale of fees to be paid for use of the slaughter house; for issue, renewal and revoking of licenses; for sanitary arrangements and conveniences; for examination of cattle and carcasses; accommodation and other arrangement to be provided in a slaughter house for tethering cattle; collection and transport of meat from slaughter house to markets and shops; and all other matters relating to establishment and maintenance of slaughter houses. Bye-laws by Local Authority:

CHAPTER XLVIII

Factories

Application of this chapter: 1. The provisions of this chapter are in addition and supplementary to the provisions in the Central and State enactments, orders, rules and regulations thereunder and shall not mean and shall not be interpreted to mean anything contrary to or in contravention of any such provision, rule, order or regulation in force.

Rules for medical relief and sanitation: 2. The arrangements for medical relief in and sanitation of factories, workshops, workplaces, warehouses, godowns and all such places connected with manufacturing processes, industrial and business concerns shall be in accordance with the rules prescribed by the State Government under this Act in so far as they are not inconsistent with the provisions of any Central Act or rules thereunder.

Hospitals, dispensaries and clinics: 3. (1) Every factory, workshop or workplace shall make adequate arrangements including outdoor dispensary, indoor beds, isolation of infectious cases and ambulance vehicles and the medical and other staff, medicines and appliances necessary, for the medical care of persons employed therein whether accommodated within or outside the precincts of the factory, workshop or workplace.
(2) Arrangements for medical care shall cover all kinds of ailments besides cases of accidents, injuries and occupational hazards. The managing authority of the factory, workshop or workplace shall make provision for sufficient medical staff and adequate supply of medicines, instruments and appliances for the purpose.

PROVIDED THAT this Section shall not be applicable in areas where the Employees' State Insurance Act is in force.

Vaccination and immunisation: 4. The managing authority shall arrange for regular and systematic vaccination, revaccination and immunisation of all employees, their families and dependants under the supervision of the Health Officer of the Local Authority and general control of the Director of Health Services.

Government may appoint Welfare Officers: 5. The State Government may appoint Welfare Officers for the factories and industrial concerns on zonal basis and may realise a part or whole of the expenses from the managing authorities of factories and industrial concerns of the respective zones.

6. The Government may constitute a Factory Advisory Board (composed of representatives from the Departments of Health Labour, Commerce & Industries, trade interests and the Chief Engineer, Public Health, who shall be the Secretary, ex-officio), to advise the Government on health and welfare of the workers.

Factory Advisory Board:

7. Subject to the provisions of the Factory Act, the Director of Health Services or any other officer or class of officers of the State Health Services shall have the power to inspect and supervise the health conditions of the employees and workers in the factories and industrial concerns during working hours and their living conditions inside or outside the factory premises.

Industrial Hygiene Officers:

8. (1) No Factory, workshop or workplace shall be established or any offensive trade carried on in any place, where it is likely to create a nuisance or to affect the health of the inhabitants of any locality used or reserved for residential purpose in any urban, semi-urban or rural area, or in any locality where a new township has grown up by compact settlement of a large number of people.

Restrictions for factories in residential areas:

(2) The State Government may, by rules prescribed in this behalf, prevent haphazard growth of factories or industrial concerns and regulate the location and sanitary conditions of all factories, industrial concerns or offensive trades and the construction of housing accommodation for the staff and labour population of such factories, industrial concerns or offensive trades.

9. (1) No new factory, workshop, workplace, godown or such structures shall be constructed or expanded or altered or any machinery or plant or vats, drains septic tanks, latrines and like fixtures shall be added, altered or erected without previous approval of the Chief Public Health Engineer or any other officer so empowered by the State Government.

Construction and expansion of factories:

(2) In case of dispute or difference of opinion the matter shall be referred to the State Government whose decision shall be final.

10. The Director of Health Services shall be the ex-officio medical adviser to the Labour and Industries Departments of the State Government and he shall have the power to recommend, after due investigation, measures for

Functions of the Director of Health Services:

(a) promotion of general health of the workers and provision of good working environments and healthful living conditions for the purpose,

(b) prevention of occupational diseases.

- (c) provision for medical care of the sick workers and members of their families and adoption of preventive measures,
- (d) operation of social insurance schemes, *and*
- (e) health education.

Systematic
medical
examination
of workers
for fitness :

11. The managing authority of every factory or industrial concern employing more than 100 workers shall arrange, at its own cost, for periodical medical examination of each worker in every alternate year and also, when any worker is incapacitated for a period of not less than one month by any accident or sickness, for systematic medical examination of such worker thereafter, in order to determine whether such worker is or is not fit for work or the particular nature of work he is required to perform.

Rules :

12. The State Government may make rules generally for the purposes of this chapter,

CHAPTER XLIX

Offensive Trades

1. (1) Every Local Authority for an urban, semi-urban or rural area may, and if so required by the State Government shall, within the time specified by the Government notify in the prescribed manner the locality or localities which shall be reserved for establishment or carrying on any of the offensive trades as defined in the Schedule IV and may at any time notify additional localities for the purpose.

Notification
of areas for
offensive
trades, and
licensing
for such
purposes :

- (2) No person shall use any land or premises in any urban, semi-urban or rural area for any of the trades or processes mentioned in the Schedule.

- (a) unless such area has been notified under subsection (1),

and

- (b) without obtaining a license from the Local Authority.

PROVIDED THAT with the approval of the State Government on the recommendation of the Director of Health Services, any locality or localities beyond one mile outside the boundaries of any urban or semi-urban area may be thus reserved for the purpose of offensive trades.

2. For the purposes aforesaid the Local Authority may purchase, acquire, take lease of or otherwise provide sufficient lands suitable for the purpose and allot them to the traders on such terms and conditions as the State Government may approve.

Local
Authority
to provide
sufficient
land for
such
purposes :

3. The Local Authority may direct the removal of any offensive trade in any area other than a reserved area existing on the date of notification, to a reserved area and the expenses for such removal shall be borne by the Local Authority. In case of dispute about the removal or the expenses, the matter shall be referred to the State Government whose decision shall be final.

Removal of
offensive
trades to
reserved
areas

4. (1) The Local Authority shall provide or arrange for sufficient supply of safe and potable water for drinking and domestic purposes in all such reserved areas and may also provide and arrange for water for trade purposes on payment of such

Water
Supply :

charges as the Local Authority may determine with the approval of the Government.

- (2) With the permission of the Local Authority the traders or business concerns may themselves provide or arrange for the supply of water in such quantity and of such quality and purity as may be specified by the Health Officer.

Sanitary conveniences:

5. There shall be adequate provision of sanitary conveniences in all premises and houses used for offensive trades and they shall be provided and maintained by the trade or business concerns.

Disposal of trade wastes and levy of charges:

6. (1) The Local Authority may make special provision for drains and sewers in the reserved areas and the wastes and effluents from such offensive trades or business shall be disposed of in such manner and after such treatment as the Chief Public Health Engineer may direct.

- (2) The Local Authority may levy charges for the use of its drains and sewers and for special provision of collection and disposal of trade-wastes.

Rules:

7. The State Government may make rules generally for the purposes of this chapter and in particular for—

- (1) notification and reservation of areas for offensive trades,
- (2) removal and any compensation for such removal, of existing offensive trades from areas other than reserved areas,
- (3) provision of water supply, drainage and sewerage sanitary conveniences and lighting in such area.
- (4) disposal of trade wastes and levy of charges.

CHAPTER L

Registration of Births and Deaths.

1. All births and deaths occurring within the State shall be registered in the manner prescribed hereinafter. Registration of all births and deaths:

2. (1) The State Government and, when empowered by the Government, the District Magistrate may, for the purpose of such registration appoint one or more persons as registrars of births and/or deaths for any area or part thereof. Registrars and registration offices:

- (2) The District Magistrate shall publish locally a list of the registration offices, their locations and the hours during which the registrars shall attend the office for the purpose of registration.

3. (1) The Registrar shall use the proper forms and registers for recording the vital events and for transmission of returns and reports and for issue of notices in connection thereof. Forms and registers:

- (2) The pages of the registers of births and of deaths shall be serially numbered and the spaces for entries of births or of deaths shall also be progressively numbered from the beginning to the end in each register.

- (3) The particulars of information required for the entry of births or of deaths shall be as prescribed by the State Government and based on, as far as practicable, the internationally accepted forms.

- (4) Still births, which are not counted as births or as deaths shall be recorded in red ink in the Birth Registers and not be assigned any serial number or in separate registers supplied for the purpose. Registration of still births:

4. It shall be the duty of the father or of the mother of every child born within the limits of any local area or in the case of death, absence or inability of the father or mother, the headman of the family in which the child is born or the occupier of the house or any person assisting at the time of birth of such child to give information within eight days of such birth either in person or in writing to the Registrar of Births or by means of the Chowkidar or Village Watchman of the beat, with such particulars as are required for the registration of the birth of such child. Reporting of births:

Registration
of birth of
an abandon-
ed new born
child :

5. In the case of a new-born child found exposed in any place without any clue to its parents, the person finding such abandoned child or the person in whose charge such child may be placed shall within eight days register the birth of such child with the remark : "parents unknown".

Reporting of
deaths :

6. (1) The nearest male relative present at the time of death or in attendance during the last illness of any person dying within the local area, or of in the absence of any such relative, the headman of the family or the occupier of the house or some other male inmate of the house in which such death has taken place or in case of death due to accident or other causes away from the house, the person who has last seen the dead body or attended the burial or burning of such dead body, shall, within eight days of the death, give information either in person or in writing to the Registrar or by means of the Chowkidar or Village Watchman of the beat, and all particulars, according to his best knowledge and belief, as are required for the registration of the death of such person.

Medical
certificate
for deaths :

(2) The State Government may direct that with effect from such date as may be specified the causes of all deaths shall be certified by a qualified medical practitioner in any local area.

Reporting
by medical
attendants :

7. Any medical practitioner (which term shall include any person practising any system of medicine) or any midwife, nurse, dai, or any person attending a case of birth or of death shall duly notify to the Registrar the birth or death attended by him. The information shall be given either personally or in such manner as may be convenient within eight days of the occurrence of the birth or death.

Duty of
Chowkidar
or other
person
entrusted
with such
work :

8. Every Chowkidar or Village Watchman, or any such person appointed by the District Magistrate or the Local Authority for the purpose, entrusted with the reporting of births and deaths shall keep himself fully cognisant of all births and deaths occurring within his beat or jurisdiction and report them to the Registrar for the Local Area, in such manner and in such form as the State Government may prescribe.

Name of
babies :

9. Where the name of a baby is not known, it may be recorded as a son or daughter or a relation of the headman of the family and after the baby is given a name, the same, may be entered in the appropriate column within 12 months of birth under intimation from the head of the family.

Penalty for
neglect or
refusal :

10. Any person who neglects or refuses to give any information which it is his duty to give under this chapter shall be liable to prosecution and punishment.

1. (1) The registers shall be maintained according to the English calendar months and years and returns either weekly or monthly, besides the annual return in the prescribed forms, shall be submitted to the proper authority as may be directed by the State Government.

Returns and
Reports :

(2) The State Government may at any time call for a statement or return on any specific matter connected with births and deaths and the registrar shall furnish, as far as possible, the required information.

(3) Every Registrar of Births shall at the end of the month submit a list of the births that have been registered with him or have come to his knowledge, to the local officer of the Health Services along with the monthly returns of births and deaths.

List of
births to
be sent to
local officer
of Health
Services :

2. (1) It shall be the duty of the Registrar of birth and/or deaths to make local investigation for errors and omissions and keep himself informed of every birth or every death or of both, in his area.

Local
enquiry by
registrar for
errors and
omissions :

(2) The Registrar shall without fee or reward record the particulars intimated to him or are available to him by local investigation for registration according to the forms in use.

13. Any Registrar who neglects his duty or refuses to register any birth or death occurring within his area or accepts any fee or reward, gratification or consideration or making such entry or gives out any information in respect of any entry in the registers, except in the prescribed certificate form and on payment of the prescribed fee, shall be punishable at the discretion of the Magistrate.

Neglect of
duty by
Registrar :

4. (1) In any urban area the Municipal Authority shall provide funds for employment of sufficient number of registrars and reporters of vital events and for the expenditure necessary for the purpose of registration of births and deaths and in connection thereof and shall, when empowered by the State Government, exercise the powers of the Magistrate in respect of the provision of Section 2.

Provision
for report-
ing and
registration
in urban
areas :

(2) The Municipal Authority of an urban area may declare the persons in charge of the burial or burning grounds as sub-registrars of deaths.

Sub-regis-
trar of
deaths in
burning or
burial
grounds :

5. (1) The State Government may declare the Medical Officer or the person in charge of a hospital, railway area, port or dock area, plantation or mining settlement or a factory or a notified area as a sub-registrar.

Sub-regis-
trar of
births and
deaths in
special
areas :

(2) All such sub-registrars shall submit their reports and returns, weekly, monthly and annually, to the Regis-

trar of the local area, urban or rural as the case may be, for incorporation in the returns and reports for the local area.

Rules :

16. The State Government may prescribe rules generally for the purposes of this chapter and in particular for determining the qualification, duties and functions of persons concerned in the registration of vital events, the manner of registration, compilation and transmission of such information to higher authorities, the forms to be used and the manner in which the work shall be conducted and the expenses shall be met.

CHAPTER LI

Nuisances

1. 'Nuisance' includes any act, omission, place or thing which causes or is likely to cause injury, danger, annoyance, or is offensive to the sense of sight, smell or hearing causes disturbance to rest or sleep, or is or may be dangerous to life or injurious to health or property, and in particular, means

What are Nuisances:

- (i) the condition of any house, shed, tent, van or any structure or premises used for habitation which is in such a state, due to rank vegetation, deposit of foul smelling or offensive materials, lack of cleansing or repairs, bad arrangement, lack of sufficient water-supply, light and air, overcrowding or any other cause, as to be a nuisance or injurious to health ;
- (ii) the condition of any pool, ditch, gutter, water-course, water-trough, latrine, privy, urinal, cess-pool, drain, ashpit, or cattleshed which is so foul or in such a state as to be a nuisance or injurious to health ;
- (iii) any animal kept in such a manner as to be prejudicial to health ;
- (iv) any accumulation or deposit of refuse garbage and wastes as to cause a nuisance or be injurious to health ;
- (v) the condition of any factory, workshop or workplace, which is not kept in a clean condition or not properly ventilated for effective removal of gases, vapour, dust and other injurious matters generated therein or which maintains an abnormally high thermal condition or is overcrowded so as to be injurious to health of the workers ;
- (vi) any fireplace or furnace in any mill, factory, manufactory or trade process, sending forth smoke, dust, vapours or gases of such nature or in such quantity as to be a nuisance or injurious to health ;
- (vii) any noise, vibration, irritating smell or offensive odour from any factory, workshop or workplace which is a nuisance to the inhabitants of the locality ;
- (viii) any other condition which, in the opinion of the State Government, is a nuisance.

Removal of
Nuisances:

2. The Local Authority shall, as far as possible, arrange for detection, inspection, abatement and removal of nuisances.

Investiga-
tion and
action:

3. On receipt of any information about the existence of a nuisance in any locality the Local Authority shall cause the matter to be investigated and shall take steps for the abatement or removal of such nuisance and if it appears to the Local Authority that the nuisance is wholly or partly caused by any act or default of the owner, lessee or occupier of the premises or of any person or persons outside the premises the Local Authority may require the owner, lessee or occupier of the premises or other person or persons responsible for causing the nuisance to take such measures as may be advised by the Health Officer or the Public Health Engineer.

Persons res-
ponsible for
causation of
nuisance:

4. Every such owner, lessee or occupier of the premises or other person responsible for the causation of the nuisance shall forthwith comply with the directions of the notice, failing which the Local Authority may take such action for restraint, abatement and removal of the nuisance as may be considered necessary and realise the expenses incurred by the Local Authority from the owner, lessee, occupier or the person or persons concerned and may, in addition, prosecute the offenders.

Condition
causing nui-
sance to be
rectified by
alteration,
reconstruc-
tion or
demolition,

5. (1) If any house, building, shed or structure or any factory, workshop, workplace or any manufactory or trade is in such a condition that the nuisance cannot be abated or removed without structural alteration, re-construction or demolition of the house, building or structure, the Local Authority may direct the owner, lessee or occupier to make the necessary alteration or reconstruction or to demolish the house or structure within a specified time, failing which the Local Authority may, after giving due notice, prohibit the use of the house and may carry out the improvements or, with the permission of court or appropriate authority, demolish the house, building or structure and recover the expenses from the party concerned in such manner as the Local Authority may decide and no compensation shall be payable by the Local Authority for any such prohibition improvement or demolition made by the Local Authority.

(2) The Local Authority may, in addition, prosecute the owner, lessee or occupier for failure to take necessary action according to the directions of the Local Authority.

Removal of
stables and
offensive
trades:

6. (1) The Local Authority may declare by notification any part of the local area to be reserved for residential purposes and may, from time to time, notify additional areas for such purpose.

(2) The Local Authority may, direct the removal or closure of any cattle-shed, stable, khatal, offensive trade from within or the vicinity of a residential area.

7. No person shall use or permit to be used, except under permission from the Local Authority, any premises, buildings or structures for the purpose of any trade, industry or manufactory or for any other purpose which is dangerous or likely to be injurious to health or to cause nuisance.

Restriction
of use of
house and
premises:

8. The Local Authority may make Bye-laws generally for the purposes of this chapter and in particular for abatement of nuisances and all matters in connection therewith.

Bye-laws:

4. Two or more Local Authorities may jointly have a disinfecting and/or de-lousing station. Combination of Local Authority:

5. The Local Authority may make bye-laws for the purposes of this chapter. Bye-laws:

CHAPTER LII

Disinfection

Disinfection of infected houses and articles:

1. (1) If in the opinion of the Health Officer any house or part of the house or the articles contained therein have been infected or are likely to retain the infection, he may direct the owner or occupier of the house to properly cleanse and disinfect the articles and/or the house or part thereof in a manner specified by him and every owner or occupier of such house shall comply with the direction.
- (2) If any owner or occupier fails or is unable to comply with the order, the Health Officer may carry out the disinfection work and may realise whole or part of the cost from the owner or in special circumstances exempt such payment.

Local Authority to provide arrangements:

2. (1) A Local Authority may establish a Disinfecting Station with necessary establishment and apparatus for the disinfection of all infected beddings, clothings and other articles and shall also provide necessary arrangements for disinfection of infected bulky articles and transport vehicles.
- (2) (a) The Local Authority shall provide arrangements for infected beddings, clothings and like articles to be taken to the Disinfection Station and to be properly disinfected free of charge and no person shall object to or cause any obstruction to such disinfection of infected articles.
- (b) In the event of any objection or obstruction, the Health Officer or any person authorised by him, may seize such articles for disinfection and, if that is not practicable, cause such articles to be destroyed.
- (c) The Local Authority may, at its discretion, pay compensation for the destruction of bedding, clothing or other articles.

Delousing:

3. A Local Authority may provide a delousing station with proper attendants and apparatus for the purpose of delousing of any person and his belongings or for any such measure for the benefit of any person suffering from vermin infestation either free of charge or on payment of such fees as the Local Authority may fix.

CHAPTER LIII

Plumbers

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| Licensing of plumbers : | 1. A Local Authority may grant to any person it may think fit a license, to act as a plumber in connection with any work of water-supply, underground drain or sewers, and no person shall undertake any such work unless he holds a license or is acting under the supervision of a licensed plumber. |
| Qualification for license : | 2. (1) No person shall be eligible for a license to act as a plumber unless he has proper training in the work of a plumber and in the elementary principles of sanitary engineering.
(2) The Government may prescribe rules for the training of and minimum qualification for registration as licensed plumbers. |
| Charge for plumbing works : | 3. The Local Authority may prescribe the scale of charges for different plumbing works in connection with water-supply and drainage and no person shall charge higher rates for such works. |
| Employment of licensed plumbers : | 4. The owner or occupier of any land, building, house or premises or of any factory, workshop or workplace shall not engage any person other than a licensed plumber for any plumbing work in connection with water-supply, underground drains or sewers. |
| Local Authority may maintain plumbers : | 5. The Local Authority may itself maintain an establishment for such plumbing works and may charge at such scale as prescribed for any licensed plumber. |
| Plumbers to follow rules, bye-laws and directions : | 6. The licensed plumber shall follow the rules, bye-laws and direction of the Local Authority in the execution of any work in connection with water-supply, underground drains, sewers, water-closets and all attachments thereto. |
| Bye-laws : | 7. The Local Authority may make bye-laws for plumbing works and licensing of plumbers. |

PART IV—GENERAL PROVISIONS

CHAPTER LIV

Financial Provisions

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| 1. (1) | Subject to the provisions of Articles 293 of the Constitution of India, the State Government may borrow money for any work or project likely to yield benefit or improvement of a permanent nature or for a reasonably long period of time, which is required to be executed or undertaken by the State Government by or under this Act. | Power of Government to borrow money and to create funds for certain purposes : |
| (2) | The State Government may similarly borrow money for the purpose of assisting any local authority or authorities, with such grants or loans and on such terms and conditions, as the State Government may decide, out of the borrowed amount, in the execution or undertaking of any similar work or project by such local authority or authorities under this Act. | |
| (3) | The State Government may also borrow money and create a fund or funds with the borrowed amount for any of the purposes referred to in sub-sections (1) & (2) and may make rules relating to the working and application of such funds. | |
| 2. A Local Authority may, in accordance with the provisions of the Local Authorities' Loan Act, 1914, and the rules thereunder, borrow money for any work or project required to be executed by it under this Act. | | Power of Local Authority to borrow money : |
| 3. In addition to the contributions, advances or loans that the State Government may make to the local authorities for any of the specific purposes provided elsewhere in this Act, the State Government may contribute out of the State revenues such sum, as the Government may deem fit, as subvention or augmentation grant to any local authority, either on a prescribed scale or according to individual requirements, towards its expenditure on medical relief and public health services or any part or unit thereof. | | Contributions by Government towards local authorities' medical relief and public health services: |
| 4. The State Government may approach the Government of India for special financial assistance for the purpose of enabling the State Government or the Local Authorities to extend, improve and execute the works and perform | | Assistance from Government of India : |

the duties and functions under this Act and in particular for—

- (1) the services for maternity and child welfare,
- (2) control of dangerous diseases,
- (3) relief of the distressed in famine, flood and like disasters.
- (4) comprehensive projects of water-supply, disposal of waste, drainage and housing,
- (5) medical relief and health measures for control of malaria, tuberculosis, leprosy and like diseases,
- (6) town and village planning

CHAPTER LV

Miscellaneous

1. (1) Every officer or employee or servant in the establishment of the medical relief and public health and allied services of the State Government and a Local Authority shall be deemed to be a public servant within the meaning of the Indian Penal Code. Health services personnel of the Government and Local Authorities to be public servants :
- (2) The Government may, by notification, declare that any employee of any Board, Council or Committee constituted for any of the purposes under this Act shall be deemed to be a public servant.
2. (1) No suit, prosecution or other legal proceedings shall lie against any officer or employee of the State Government or a Local Authority or any Board, Council or Committee or any person acting under the directions of such authority in respect of anything which is in good faith done or intended to be done under this Act. Savings for bonafide action :
- (2) No suit or other legal proceedings shall lie against the State Government or any Local Authority or any Board, Council or Committee for any damage or loss caused by anything which is in good faith done or intended to be done under this Act.
3. (1) Any officer of the State Government or a Local Authority connected with the administration and operation of the medical relief and public health measures or any allied matter, may enter into or upon any premises, with or without assistants or workmen, in order to make any inspection, survey, measurement, valuation or enquiry or execute any work which is authorised by this Act or by any rule or by-law made thereunder, or which, in his opinion, it is necessary for any of the purposes or in pursuance of any of the provisions of this Act or of any such rule or by-law, to make or execute— Power of entry :

PROVIDED as follows :—

- (a) except when it is in this Act or in any rule or by-law made thereunder otherwise expressly provided, no such entry shall be made between sunset and sunrise ;

- (b) except when it is in this Act or in any rule or by-law made thereunder otherwise expressly provided, no dwelling-house, and no public building or hut which is used as a dwelling-place, shall be so entered, unless with the consent of the occupier thereof, without giving the said occupier at least twenty-four hours' previous written notice of the intention to make such entry ;
- (c) notwithstanding any power to enter any premises conferred upon any person as aforesaid by or under and for any of the purposes of this Act or any rule or by-law made thereunder, sufficient notice of such entry shall in every instance be given to enable the inmates of any apartment appropriated to females to withdraw to some part of the premises where their privacy need not be disturbed ;
- (d) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the premises entered.
- (2) Any person as aforesaid shall not use any force for the purpose of effecting any entry under sub-section (1), unless—
- (i) such entry cannot otherwise be effected, and
- (ii) there is reason to believe that an offence is being or has been, committed against any provision of this Act or any rule or by-law made thereunder.
- (3) Except when it is in this Act or in any rule or by-law made thereunder otherwise expressly provided, no claim shall lie against any person for compensation for any damage necessarily caused by any entry made under sub-section (1), or by the use of any necessary force under sub-section (2).
4. (1) Inspector-General or the Chief of the Police of the State Government and all his subordinates shall co-operate with the Directorate of Health Services and the Local Authorities for carrying into effect and enforcing the provisions of this Act.
- (2) It shall be the duty of every police officer
- (i) to communicate without delay to the proper Medical Officer of Health of the State Health Services or the Health Officer of the Local Authority any information which he receives of any design to commit or of the commission of any offence under this Act or against any rule or by-laws made thereunder, and

Co-operation of the Police :

- (ii) to assist the officers and the staff of the State Health Services or of the medical relief and public health services of the Local Authorities reasonably demanding his aid for the lawful exercise of any power vesting in such officer or staff or for discharge of any of his duties under this Act or any such rule or bye-law.
- (3) Any Officer or member of the State Health Services or of the medical relief or public health services of the Local Authority, when empowered, on the recommendation of the Director or Deputy Director of Health Services, in that behalf by a general or special order of the Inspector-General or Chief of the Police of the State Government, may exercise the powers of a Police officer for such of the purposes of this Act as may be specified in the order.
5. (1) If in any areas in which this Act is in force, any provision of this Act or of any rule or bye-law made under this Act is inconsistent with any provision of any other State Act which is in operation in such area, the provision of the other Act in its application to such area shall, to the extent of the inconsistency, be void and the provision of this Act or of the rule or bye-law, as the case may be, prevail.
- (2) If any difficulty arises owing to the conflict of any provision of this Act with any provision of any other Act, the State Government may by order do anything or authorise anything to be done which may be necessary to remove such difficulty or to give effect to the provisions of this Act or of the rule or bye-law as the case may be.
- [NOTE : When this Model Public Health Act is adopted by any State, a schedule may be inserted mentioning the State enactments already in force which, or parts thereof, should be treated as repealed or amended and indicating the extent of such amendments in view of the provisions of this Act.]
6. If in the application or operation of the provisions of this Act any doubt arises as to the appropriate authority to which any power, duty or function appertains, the matter shall be referred to the State Government and the decision of the State Government shall be final.
7. The State Government shall have the power to add to, delete or amend from time to time the contents of any schedule under this Act.
8. The State Government shall have the power to make appropriate rules, orders and regulations under various sections of this Act and to add to, delete or amend them from time to time.

Inconsistency or conflict of provisions of this Act or of rules or bye-laws with provisions of other Acts :

Appropriate Authority :

Power to amend Schedule :

Power to prescribe rules, order and regulations :

Power to
prescribe
bye-laws for
Local
Authority:

9. The State Government shall have the power to prescribe model bye-laws in respect of any matter under the jurisdiction of the Local Authorities and direct the Local Authorities to adopt them with or without modification, with the approval of the Government.

PROVIDED THAT the Government may add to, delete or amend such model bye-laws, and the Local Authorities may be required to adopt such modifications.

Cognisable
Offences:

10. The State Government may declare by notification any of the offences under this Act to be cognisable.

CHAPTER LVI

Penalties

1. (1) Whoever commits any offence by—

Certain
punishable
offences:

- (a) contravening any provision of any of the sections, sub-sections, clauses of sections, provisos or rules of this Act mentioned in the first column of the following table, or
- (b) contravening any provision of any rule made under any of the said sections sub-sections, clauses or provisos, or
- (c) failing to comply with any direction lawfully given to him or any requisition lawfully made upon him under any of the said sections, sub-sections, clauses, provisos or rules,

shall be punished with fine or imprisonment which may extend to the amount or period mentioned in that behalf in the third column of the said table.

- (2) (a) Whoever is convicted of any offence referred to in clause (a), (b) or (c) of sub-section (1), for a second or subsequent time shall be punished with fine or imprisonment for the amount or the period mentioned in the third column of the said table.

- (b) Whoever, after having been convicted of any offence referred to in clause (a), (b) or (c) of sub-section (1), continues to commit such offence shall be punished, for each day after the first during which he continues so to offend, with fine which may extend to the amount mentioned in this behalf in the fourth column of the said table.

EXPLANATION: The entries in the second column of the following table, headed "Subject" are not intended as definitions of the offences prescribed in the provisions mentioned in the first column, or even as abstracts of those provisions, but are inserted merely as reference to the subject thereof.

NOTE: The table together with the subjects and the extent of penalties may be inserted by the State Government when adopting the Model Act for the State.

Sections, sub-sections, clauses, provisos or rules.	Subject.	Fine or imprisonment which may be imposed.	Daily fine which may be imposed.	Maximum fine or imprisonment or both which may be imposed for a second or subsequent offence.
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CHAPTER LVII

Definitions

For the purposes of this Act, unless there is anything repugnant in the subject or context, Definition

- (1) "Building" includes house, outhouse, stable, privy, urinal, shed, hut, wall (other than a boundary wall not exceeding ten feet in height) and any other such structure, whether of masonry, bricks, wood, mud, metal or any other material whatsoever, but does not include a temporary shed erected on ceremonial or festive occasions. Building:
- (2) "Dairy" includes any farm, cattle-shed, cow-house, milk-store, milk-shop, or other places— Dairy:
- (a) from which milk is supplied on or for sale, or
 - (b) in which milk is kept for purposes of sale or used for manufacture or preparation for sale of any of the following articles—
 - (i) Butter,
 - (ii) Ghee,
 - (iii) Cheese,
 - (iv) Curds, and
 - (v) Dried, sterilized or condensed or toned milk, but does not include
 - (a) a shop or other place in which milk is sold for consumption on the premises only, or
 - (b) a shop or other place from which milk is sold or supplied in hermetically closed and unopened receptacles in the same original condition in which it was first received in such shop or other place.
- (3) "Depot" means a place where articles are stored, whether for sale or otherwise, but not for domestic consumption or use. Depot:
- (4) "Drain" includes a sewer, a house-drain, a drain of any other description, a tunnel, a culvert, a ditch, a channel and any other device for carrying off sullage, sewage, offensive matter, polluted water, rain-water, or sub-soil water. Drain:

- Drug : (5) "Drug" means any substance used as medicine, or in the composition or preparation of medicines, whether for internal or external use.
- Dwelling House : (6) "Dwelling House" means any inhabited building, or hut, shed, barrack, tenement, flat and all such places of accommodation for human habitation, ordinarily designed for family accommodation.
- Factory : (7) "Factory" means a factory as defined in the Factory Act.
- Food : (8) "Food" includes every article used as food or drink for human consumption other than drugs or water, and any article which ordinarily enters into or is used in the composition or preparation of human food; and also includes any flavouring and colouring matters and spices and condiments.
- Government : (8a) The word "Government," wherever occurring in this Act, unless otherwise specified, shall mean the "State Government".
- Guardian : (9) "Guardian" includes any person who has or is presumed to have accepted the care or custody of any child.
- Housing Society : (10) "Housing Society" means a corporation or body of persons which, by the terms of its constituent instrument, is required to devote its funds, to the provision of housing accommodation of the public or any section of the public.
- Hut : (11) "Hut" means any building, no substantial part of which excluding the walls upto a height of eighteen inches above the floor or floor level, is constructed of masonry, reinforced concrete, steel, iron or other metal.
- Label : (12) "Label" includes any tag, brand, mark or statement in writing on or attached to or used in connection with any package containing any article of food, drug or substance.
- Land : (13) "Land" includes any buildings and any other erection on land and any cellar, sewer, drain or culvert in or under the land and shall include any right to easement in or over land.
- Local Area : (14) A "Local Area" means an area under the jurisdiction of a Local Authority and shall include an area notified as such by the Government.
- Local Authority : (15) "Local Authority" shall mean a municipality, district board, local board, union board, taluk board or panchayat as the case may be, constituted under various State Acts and includes any Ad-hoc Local Authority created under any Act or by order of the Government for any mining settlement, plantation or notified area as such.

- (16) "Local Fund" is the fund of any Local Authority. Local Fund:
- (17) "Lymph" is the substance manufactured from cowpox vesicles and used for vaccination as a preventive against smallpox. Lymph:
- (18) "Magistrate" means and includes, unless otherwise specified, the District Magistrate, Deputy Commissioner and Subdivisional Magistrate. Magistrate:
- (19) "Manager" means the person in occupation or having the charge, management, or control of the house or part of a house, and where the house is let out in separate tenements or is a lodging house let out to lodgers or in the case of an eating house and similar places, includes the person receiving payment or rent, payable by the tenants or lodgers, either on his own account or as the agent of another person. Manager
- (20) "Market" shall be deemed to be synonymous with the expression "Bazar" and means— Market or Bazar :
- (a) a place where persons assemble for the sale of meat, fish, fruit, vegetables, live-stock, or any other article of food of a perishable nature, whether or not there is any collection of shops, or ware-houses or stalls for the sale of other articles in such place, or
- (b) any place of trade other than a place referred to in clause (a) where there is a collection of shops or ware-houses or stalls,
- (c) and includes any "hat" or place where such trades or business is carried on either weekly or bi-weekly or on certain fixed days of the week.
- (21) "Milk" includes cream, skimmed milk, separated milk and condensed, sterilized, desiccated or toned milk. Milk :
- (22) "Month" shall mean a month reckoned according to the English calendar and a period of one month shall mean a period of 30 days. Month :
- (23) "Nuisance" has the same meaning as in the chapter on Nuisance. Nuisance :
- (24) (a) "Occupier" means any person for the time being paying or liable to pay, to the owner the rent or any portion of the rent of the land or building in respect of which the word is used or, for damages on account of the occupation of such land or building, and also a rent-free tenant. Occupier :

PROVIDED THAT an owner living in or otherwise using his own land or building shall be deemed to be the occupier thereof;

and

- (b) includes a person having the charge, management or control of a building, or a part of a building or a house, premises or in the case of a lodging-house which is let out to lodgers, the person receiving the rent payable by the tenants or lodgers either on his own account or as the agent of another person, and in the case of ship, vessel or boat, the master or other person in charge thereof;

and

- (c) in the case of land, building or house not occupied by any tenant or other person, the owner of the building or premises.

Owner :

- (25) "Owner" includes the person for the time being receiving the rent of any land or building or on any part of any land or building whether of his own account or as trustee for any person or society or for any religious or charitable purposes or as a receiver or who would so receive such rent if the land, building or part thereof were let to a tenant.

Parent :

- (26) "Parent" means the father or mother of a child and includes foster and step parents.

Person :

- (27) "Person" shall include any company or association body of individuals, whether incorporated or not.

Public Building :

- (28) "Public Building" means a building used or adopted to be used—

- (a) as a place of public worship or as school, college or other place of instruction (not being a dwelling house so used) or as a hospital, work house, public theatre, public cinema, public hall, public library or public lecture-room, public concert-room, public exhibition room, or as a public place of assembly,

- (b) for any other public purpose,

or

- (c) as an hotel, eating house, lodging house, refuge or shelter

Registered medical practitioner:

- (29) "Registered medical practitioner" means a medical practitioner registered under the State Medical Act.

(30) "Reside"—

• Reside :

- (a) A person shall be deemed to "reside" in any dwelling house or hut which or some portion of which, he sometimes, although not uninterruptedly, uses as a sleeping apartment,

and

- (b) A person shall not be deemed to cease to "reside" in any such dwelling house or hut merely because he is absent from it or has elsewhere another dwelling house or hut in which he resides, if there is the liberty of returning to it at any time and no abandonment of the intention of returning to it,

and the expression "resident" shall be construed accordingly.

- (31) "Rubbish" means dust, ashes, broken bricks, mortar, broken glass and refuse of any kind which is not "offensive matter" as defined in this section. Rubbish :

- (32) "Rural area" means an area which is outside the limits of any municipality or municipal corporation and any cantonment or area under the control of Government of India and includes as semi-urban area. Rural Area :

- (33) "Sale" includes an offer for sale. Sale :

- (34) "Semi-urban area" is that part of rural area which because of density of population and houses is akin to an urban area and to which the provisions relating to improvement of sanitary conditions and environmental hygiene and allied matters applicable to urban areas may be under orders of the Government made applicable for such purposes. Semi-urban Area :

- (35) "Service privy" means a fixed privy which is cleansed by hand, Service privy :

- (36) "Slaughter house" means any place used for the slaughter of cattle, sheep, goats, kids or pigs for the purpose of selling the flesh thereof as meat and includes any premises for the manufacture of jerked meat or the preparation of hides, bones or any other products of animals slaughtered at the slaughter house but shall not include any place where animals are slaughtered for religious purposes only and not for profit, nor any private place where not more than 10 animals are slaughtered on any one day for a social ceremony. Slaughter house :

- Stream : (37) "Stream" includes the sea to such extent as may, after local inquiry and on sanitary grounds, be determined by the Government, by order published in the Gazette and it includes rivers, streams, canals, lakes and water-courses.
- Street : (38) "Street." includes any court, alley, passage, square, row or avenue whether a thoroughfare or not.
- Street alignment : (39) "Street alignment," means the line dividing the land comprised in and forming part of street from the adjoining land and includes any proposed alignment.
- Unprotected child : (40) "Unprotected child" means a child upto the age of 17 years who has not been successfully vaccinated at any time in two or more insertions and who has not been certified as insusceptible to vaccination.
- Unprotected person : (41) "Unprotected person" means person above the age of 17 years who has not been successfully vaccinated at any time and who has not been certified as insusceptible to vaccination.
- Urban area : (42) "Urban area" means an area under the administrative jurisdiction of any municipality constituted under an Act of the State and shall include a township, camp or settlement under the control of the Government and any other area which may be notified as such by the Government.
- Venereal Disease : (43) "Venereal Disease" means syphilis, gonorrhoea, soft chancre, venereal granuloma or lymphogranuloma.
- Vessel : (44) "Vessel" shall include any ship or boat or any other description of vessel used in navigation,
- Workshop or Workplace (45) The expression "workshop or workplace" means—
 (a) any premises or places which are not a factory
and
 (b) in which premises, room, or place or within the close or precincts of which premises, any manual labour is exercised by way of trade or for purposes of gain, in or incidental to any of the following purposes, namely—
 (i) the making of any article or of part of any article,
or
 (ii) the altering, repairing, ornamenting, or finishing of any article,

or

- (iii) the adapting for sale of any article, and to or over which premises, room or place the employer of the persons working therein has right of access or control.

SCHEDULE I

Composition of State Health Services*(Vide : Section 2 of Chapter II)*

- (1) Services for medical care and treatment, institutional and otherwise.
- (2) Maternity and Child Welfare Services.
- (3) School Health Services.
- (4) Nutrition.
- (5) Prevention and control of epidemic diseases.
- (6) Anti-mosquito measures including engineering works.
- (7) Special measures for control of tuberculosis, leprosy, venereal and other diseases.
- (8) Maintenance and improvement of general sanitation, elimination of factors prejudicial to health and sanitation and sanitation of places of pilgrimage and public resorts.
- (9) Promotion of environmental hygiene including—
 - (i) maintenance and improvement of water-supply and prevention of pollution of water ;
 - (ii) healthful housing and improvement of housing accommodation ;
 - (iii) town and village planning ;
 - (iv) measures relating to occupational health ;
 - (v) sanitation of parks, playgrounds and like places.
- (10) Registration of births and deaths.
- (11) Health Education.

SCHEDULE II

Directorate of Health Services*(Vide : Section 4 (1) and 4 (3) of Chapter II)*

DIVISIONS

(In charge of Deputy Directors)

- (1) Division of Medical Relief, Planning and Research.
- (2) Division of Public Health.
- (3) Division of Public Health Engineering.
- (4) Division of Laboratories.
- (5) Division of Administration,
- (6) Division of Audit & Accounts.

BUREAUS

(In charge of Assistant Directors)

- (1) Regional Administration.
- (2) Control of Epidemic Diseases.
- (3) Control of Malaria and Mosquito-borne Diseases.
- (4) Control of Tuberculosis.
- (5) Control of Leprosy and Venereal Diseases.
- (6) Maternity and Child Welfare.
- (7) School Health Services and Nutrition.
- (8) Industrial and Occupational Hygiene.
- (9) Health Education.
- (10) Control of Food and Drug.
- (11) Health Statistics.

SCHEDULE III

Organisation of State Health Services.

(Vide ; Section 4 (4) of Chapter II)

I. District Headquarter Organisation :

- (1) District Medical Officer of Health who shall be the Chief Administrative Officer in charge of all Health services in the district.
- (2) One or more Additional or Deputy Medical Officers of Health.
- (3) District Public Health Engineer and his subordinate staff.
- (4) Medical Officers including Superintendents, Compounders, Midwives, Nurses, Assistants and other staff for hospitals, dispensaries, clinics, annexes, etc., at the district headquarter.
- (5) Officers in charge of District Medical Stores, Ambulance and similar services.
- (6) District Laboratory Superintendent and Chemists, Bacteriologists and other staff under him.
- (7) District Anti-mosquito establishment.
- (8) District Sanitary Inspector.
- (9) District Health Publicity establishment.
- (10) Office establishment.

II. Subdivisional Headquarter Organisation :

- (1) Subdivisional Medical Officer of Health, who shall be in charge of all medical and health services in the Subdivision.
- (2) Subdivisional Public Health Overseer.
- (3) Medical Officer in charge of the Subdivisional Hospital, Dispensary, Clinic and other annexes, and the staff including Compounders, Nurses, Midwives, Assistants, etc.
- (4) Subdivisional Sanitary Inspector.
- (5) Necessary Officer Staff and field workers.

III. Thana Health Centre Organisation :

- (1) Thana Medical Officer of Health — in charge of Health Services at the Thana Health Centre. He shall also supervise the working of the Health Services of Rural Health Centres.

- (2) Medical Officers, Compounders, Nurses and other staff for the hospitals, dispensaries, and clinics of the Thana Health Centre.
- (3) Lady Health Visitor and her subordinates, for the Thana Maternity and Child Welfare Services.
- (4) Thana Sanitary Inspector.
- (5) One or more Health Assistants.
- (6) Squad of three or more field workers.
- (7) One or more Tubewell mechanics with mason and assistants.
- (8) Office establishment.

IV. Union or Panchayat Health Centre (Rural) Organisation :

- (1) Rural Medical Officer of Health in charge of medical and health services of the Rural Health Centre.
- (2) Medical and other subordinate staff for the hospital, dispensary, etc., of the Rural Health Centre.
- (3) Lady Health Visitor and her subordinate staff for Maternity and Child Welfare Services.
- (4) Health Assistants for vaccination, inoculation, disinfection and other sanitation works.
- (5) Office establishment.

SCHEDULE IV

Offensive Trades

(Vide Section 10 of Chapter XLIX)

The following shall be deemed to be offensive trades:-

1. Boiling or storing offal, blood, bones or rags.
2. Salting, curing or storing fish.
3. Storing hides, horns or skins.
4. Tanning.
5. The manufacture of leather or leather goods.
6. Dyeing.
7. Melting tallow or sulphur.
8. Washing or drying wool or hair.
9. Pottery or lime-kiln.
10. Soap-making.
11. Oil boiling or oil extracting.
12. Sago manufactory.
13. Distillery.
14. Storing hay, straw, fodder, wool, coal or other combustible materials.
15. Snuff manufactory.
16. As a manufactory or place of business of any other kind, from which offensive or unwholesome smells arise, or which may involve risk of fire.
17. Erection of brick, tile or like kilns.
18. Erection of furnaces to be used for the calcining, smelting of oils or minerals or for the casting, puddling or rolling of iron or other metals or for the conversion of big iron into wrought iron.
19. Manufacture of coke, in ovens or without ovens, with or without special appliances.
20. Or, any other trade or process which may from time to time be notified by State Government in the official Gazette.

CONCLUSION

In the draft of the Model Public Health Act, the sections under each chapter have been numbered independently. The Committee felt that this method would be convenient for any addition, alteration or adjustment that might be necessary for adoption of the Model Act by the State Governments.

The recommendations of the Committee defining the standards and other particulars in connection with various items of environmental sanitation, which might be found suitable for incorporation in the rules or byelaws to be framed by the State Governments or the Local Authorities, as the case may be, under the Model Public Health Act, are given in the Appendix.

The Committee now commend the draft of the first comprehensive Model Health Act for consideration and acceptance.

(DR. B. C. DAS GUPTA)

Chairman

(DR. K. S. VISWANATHAN)

(DR. W. MATHUR)

Members.

(SHRI P. C. BOSE)

(DR. S. K. SARKAR),

Secretary.

DATED: Calcutta, the 30th April, 1955.

APPENDIX

Outline of Standards of the particulars for incorporation in the rules or byelaws to be framed by the State Government or Local Authorities, as the case may be, under the Model Public Health Act :

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I. TOWN & VILLAGE PLANNING

I. *Basic requirements of Site Selection :*

Regard may be had to the following conditions for healthful development and maintenance in the selection of a site :—

- (a) Sub-soil condition should afford suitable bearing capacity for economical construction of buildings of the types contemplated. Bearing capacity will be adversely affected if the site contains muck, peat, poorly compacted fill, shifting sand or quicksand.
- (b) Essential factors in site selection include a water table low enough to protect against flooding and interference with sewerage, the absence of swamps or marshes and sufficient slope to permit surface drainage of normal rainfall and free flow of sanitary sewers. Periodic flooding due to high ground water table should disqualify a site unless preventive measures can be applied. High ground water may cause dampness beneath the buildings. Flooding due to ground water may occur not only through conditions on the site itself, but also from present or future drainage onto the site from adjacent areas.
- (c) The development area should be free from danger of surface flooding by streams, lakes or tidal waters.
- (d) Land should not be too steep for satisfactory grading in relation to dwelling construction.
- (e) The development area should be free from topographic conditions which might be a serious cause of accidents. Hazards of this type include landslides, earth settlement above disused mine workings and earthquake slippage along known geological fault lines.

2. *Availability of sanitary and protective services :*

- (a) A healthful town or village can only be developed on a site with water supply that is adequate and certain as to amount, that will not be a means of conveying disease and that is reasonably free from chemical and physical impurities. Equally important is the collection and ultimate disposal of human excreta without sanitary hazard.
- (b) It is of utmost importance that before a site is selected, the water and sewerage systems must be visualised as long-term sanitary services. Preference should be given to a site having access to a public system. Where a public water supply is unavailable, it is necessary to be certain that a local supply can be developed at reasonable cost.
- (c) Removal of wastes from the site by a public sewerage system that is properly designed and operated affords the greatest

safety, if every residence can be connected to a public sewerage system of sufficient capacity. In the absence of a public sewerage system, an on-site community system is generally safer than septic tanks or other individual installations, provided adequate maintenance is assured.

- (d) It is essential that a projected site shall have facilities for the effective removal of domestic wastes—notably garbage—or that ultimate disposal on the site can be provided without sanitary hazard.

3. *Freedom from local hazards and nuisances :*

- (a) The site should be entirely free from grave hazards to life or health, and as free as possible from minor hazards and nuisances.
- (b) Residents of site should not be unduly exposed to sources of animal or insect carriers of disease on or adjoining the site, or to polluted water courses, lakes or ponds. If control or elimination of the sources is not practicable, housing areas should be located outside the range of any substantial breeding places for rodents and insects and of any sizable deposits of refuse which might contribute to the spread of fly-borne or rodent-borne disease.

4. *Water-Supply :*

- (a) An adequate supply of safe and potable water, delivered under pressure within the dwellings, is a sine qua non of healthful housing.
- (b) Where connection to a public supply is not possible, provision must be made for the development of an on-site community supply or for the installation of individual wells.
- (c) Whatever the system used the location, construction operation of the water supply must meet requirements of Public Health authorities having jurisdiction. The Chief Public Health Engineer should be consulted whenever a public supply is not available.

5. *Sewage Disposal :*

- (a) It is essential to plan for the collection of sewage from all dwellings and non-residential structures on the site and for its disposal by one of the following means :—
- (i) discharge to an existing public sewerage system ;
 - (ii) treatment in a community disposal plant ;
 - (iii) treatment in individual septic tanks with disposal by absorption field or percolation,
- (b) Where a public sewerage system is not available, the location and design of on-site community disposal plants and the installation of individual septic tanks or soakage pits

should meet the requirements of the Public Health Department of the State Government.

6. *Density and floor-space index :*

- (a) Gross density should be not more than 10 houses to the acre—the maximum allowable should be 20 to the acre. In one or two-storey development in ordinary suburban housing, the floor space index should be kept below 0.5. Vertical development is optional where land is scarce as in the present congested towns. In places where vertical development is planned, the floor space index should be limited to 1.5. Where the floor space index exceeds 1.25, buildings should be planned in open plan forms, staggered so as to offer the least obstruction to light and air.
- (b) In new satellite towns and suburban planning, the gross density of population should be about 60 per acre but not more than 120 per acre. To reduce congestion in existing towns, the aim should be to reduce the density to at least 250 per acre.

7. *Roads classified with regard to traffics :*

In town planning, the roads should be designed to ensure swift movement of traffic consistent with safety. In the places where fast and slow traffic are both likely to use the road, the width should be sufficient for segregation of traffic in lanes. The surface should be suitable for the kind of traffic using it. Through roads should avoid passing through residential areas. They should afford a clear vision avoiding sharp curves and obstructions. Level crossing should be replaced by separation of grades if the volume of traffic is heavy. The width of roads should be fixed in relation to their function and traffic load.

8. *Civic Amenities :*

In every town and village planning scheme there should be provision for shopping centres, educational institutions, clubs, parks and playgrounds, health centres, hospital, post office and other public offices, places of worship and places for disposal of the dead.

9. *Zoning of Residential and Industrial Areas :*

The planning should provide for zoning to segregate industrial areas, big transport centres and godowns, dangerous and offensive trades, and dairies from residential areas and business areas. There should be a thinning out of the population from the centre to the fringes and, if possible, a green belt all round. The planning of the residential areas should ensure a fair mix-up of all social groups and avoid too much segregation.

10. *Population Limits :*

In planning of new towns, the population should be limited to 100,000.

11. *Planning in Villages :*

- (a) Population to be limited to 5000.
- (b) Gross density should be restricted to 10 houses per acre.
- (c) Water supply in the form of wells or tubewells should be provided at one source for every 250 persons.
- (d) Houses should be served by proper streets ; they should be detached or semi-detached and should have definite space for cowshed and manure pits.
- (e) There should be open space for public resort and public utility halls.

12. Planning of towns and villages to be integrated with the Master Plan of the region.

II. HEALTHFUL HOUSING

The following points may be given due consideration in the manner of construction of healthful housing accommodation :—

- (1) The site should have an independent access to a street of adequate width and should be in pleasing surroundings free from hazards of flooding, land-slides, fly breeding, mosquito breeding nuisances, dust, smoke, smells and excessive noise. The soil should be dry and safe for founding the structure.
- (2) The set-back of the house from the road and the surrounding houses should be such as to make lighting and ventilation through windows effective without obstruction of light and air. The proportion of built-up area to site may not exceed 1 : 3 in the smaller municipalities and fringes of big cities where the density thins out, but may be 2 : 3 in the areas of high land values.
- (3) A house designed for family life should have independent access with sufficient privacy.
- (4) Floor should be impervious. Height of plinth 2' 6" from centre of public road with adequate damp-proof course.
- (5) The walls should have low heat capacity. They should be smooth, easy to keep clean, weather resistant, unsuitable for harbourage of rats or vermin, not easily damaged and reasonably strong against impact.
- (6) The roof of the house should be heat-resistant and the height of the rooms should be such as to give an air space of at least 500 cubic feet per capita, preferably 1000 cubic feet.
- (7) The floor area of a living room should be at least 120 square feet for occupancy by more than one person and at least 100 square feet for occupancy by a single person. The floor area available in living rooms per person should be not less than 50 square feet ; 100 square feet is recommended as the optimum.
- (8) A domestic house should be provided with at least two rooms and one of them should open directly or through an unobstructed verandah on to open space. The windows should be placed at a height not exceeding three feet above ground.
- (9) For living rooms, total window openings to be at least 1/15th the floor space and window and door openings combined not to be less than 1/7th floor space.

- (10) The house is to have a kitchen of minimum size 8' x 6', adequately lighted by windows (1/5th of floor area) and to have arrangements for storing food, fuel and provisions.
- (11) The house is to have an independent source of safe and adequate water supply.
- (12) Every house to have a latrine of minimum size 3'0" x 2'6" non-service sanitary type, with floor and seat made of impervious material, and readily accessible.
- (13) An enclosed courtyard, open space or terrace of sufficient area should be provided in each house.
- (14) In the rural areas, the "approved" standards may be lower than in towns. The minimum should be a two-roomed house on a dry site with separate access, giving sufficient security. It should be provided with a separate kitchen, a platform for washing utensils, a properly sloped "pucca" drain, and a sanitary latrine; effective windows equal in area to at least 10% of the floor space; a well, tubewell or tap for water supply within the house and in any case within a quarter of a mile from the house; open space in front, within or behind not less than twice the built-up area; separate and adequate accommodation for the animals and implements associated with rural occupations; a manure pit, and arrangements for safe disposal of waste water.

III. PIPED WATER SUPPLY

1. Sources of Intake and Treatment :

- | | |
|--|---|
| (a) Upland water. | } impounding—coagulation—sedimentation—filtration—chlorination — to supply mains. |
| (b) Rainwater over a catchment area, | |
| (c) River or stream water | —intake at suitable place and depth—preliminary settlement—coagulation—sedimentation—filtration—chlorination—to supply mains. |
| (d) Lake water — | intake at suitable place and depth—coagulation—sedimentation—filtration—chlorination—to supply mains. |
| (e) Spring water — | impounding—chlorination—to supply mains. |
| (f) Underground water below impervious strata (drawn by mechanical pumps from tubewells of diam. 4" or more) | —softening, if necessary—chlorination—to supply mains. |

2. Filtration :

- (a) Slow sand filter, at the rate of 4" per square foot per hour.
- or (b) Rapid filter, at the rate of 3" to 4" per square foot per minute.
- or (c) A combination of (a) and (b) as may be advised by the Chief Public Health Engineer of the State.

3. Chlorination :

Chlorination should be done by any of the approved methods or appliances to ensure a residual chlorine at the rate of 0.2 ppm for the water to be supplied irrespective of its source of intake.

4. Supply Mains :

- (a) Terminal mains shall have internal diameters not less than 3".
- (b) Where in any street both water and sewer mains are laid, the water mains shall be at least 3' vertically above and at a distance of 6' from the sewer.

Terminal Pressure : Recommended 35', must not be less than 25'.

Quantity : To be supplied per capita per diem will vary with the population and the requirements for various purposes, and taking into consideration possible wastage from leaks, defective fittings and careless handling to the extent of nearly 10% of the total supply.

7. Quality :

(a) *General* : Water for drinking and other domestic purposes shall be clear, odourless, palatable, of neutral taste, of reasonable temperature, neither corrosive nor scale-forming.

(b) Physical Standards :

- (i) *turbidity*—not exceeding 10 ppm on silica scale ;
- (ii) *colour*—not exceeding 20 ppm on cobalt scale ;
- (iii) *total solids*—500 ppm for good water ; maximum permissible 1000 ppm.

(c) Chemical Standards :

(i) *Total hardness*—150 to 200 ppm as Calcium Carbonate is the maximum permissible hardness where the source is other than spring or underground. This may, however, be relaxed upto 250 to 300 ppm under exceptional circumstances.

(ii) Alkalinity—

- (a) for treated waters Phenolphthalein alkalinity as Calcium Carbonate not to exceed 15 ppm plus $0.4 \times$ total alkalinity at pH 10.6 and 25°C ;
- (b) normal Carbonate alkalinity not to exceed 120 ppm ;
- (c) total alkalinity shall not exceed hardness by 35 ppm.

(iii) Chemical Standards :

(a) Rigid limits—

Lead	...	...	less than 0.1 ppm.
Arsenic	...	...	" " 0.05 ppm.
Selenium	...	...	" " 0.05 ppm.
Flouride	...	...	not less than 1.00 ppm. not more than 1.30 ppm.

(b) *Limits not so rigid*—(limited variation admissible after investigation of local conditions) :

Copper	...	...	less than 3 ppm.
Iron & Manganese together	...	...	less than 0.4 ppm.
Magnesium	...	...	" " 125 ppm.
Zinc	...	...	" " 15 ppm.
Chloride	...	...	" " 500 ppm.

Sulphate	...	...	" " 250 ppm.
Phenolic Compounds...	...	...	" " 0.001 ppm. in terms of phenol.

(iv) Bacteriological Standards :

- (a) Excellent ... no coliform bacilli in 100 c.c..
- (b) Satisfactory ... 1 to 2 coliform bacilli in 100 c.
- (c) Suspicious ... 3 to 10 coliform in 100 c.c.
- (d) Unsatisfactory or bad ... Over 10 coliform in 100 c.c.

If in (c) all coliform bacilli are aerogenous and no faecal coli—recommend chlorination.

If 1 to 2 coli type—insist on chlorination.

8 *Hours of Supply* : Preferably continuous, but in no case less than eight hours, per day.

IV. DISPERSED SOURCES OF WATER SUPPLY :

Sources : Generally from tubewells, masonry wells, reinforced concrete ring wells or reserved surface tanks.

(i) *Tubewells—*

- (a) internal diameter of pipes—1½" to 2".
- (b) depth—below at least one impervious stratum.
- (c) strainers—2 x 6' each of same diameter as the pipes ;
- (d) pumps—suitable type to draw 300 to 500 gallons per hour according to size of pipes and strainers ;
- (e) platform and overflow drain—usually 4' x 4' to 6' x 6' with drain along the sides of the platform to lead to soakpit or suitable point of discharge.

(ii) *Masonry or C.C. Wells :*

- (a) recommended internal diameter—4' ;
- (b) depth—according to geological condition ;
- (c) platform and overflow drain—width 3' to 4' sloped outward. The parapet should be sharply sloped on top and not flat ;
- (d) fittings—the well should be covered and fitted with pump and pipes or provided with a water lifting device or a common rope-and-bucket arrangement over pulley.

V. DRAINAGE AND SEWERAGE

A. Sewers :

1. To be introduced in areas where adequate water supply is available for the purpose—minimum 5 gallons per capita per diem (exclusive of water required for other purposes.)
2. Minimum diameter of a public sewer to be 6". Minimum diameter of a domestic sewer should be 4".
3. Velocity of sewage flow to be between 2.5 to 3 ft. per second.
4. Sewers to be well ventilated—ventilation pipe at the summit and fresh air entry at the lowest point to be provided.
5. Industrial waste not to be allowed into town sewer without treatment as may be prescribed by the Chief Public Health Engineer.
6. Flushing chambers to be provided at top end of the sewers.
7. Manholes to be located at every junction and at intervals of 200 ft. (maximum), on straight lengths. Every manhole to have easy access and working space inside for maintenance and provided with sturdy water-tight cover.

B. Sewage Disposal :

1. Before sewage is discharged into the river, stream or channel or on land, the same to be treated by one or combination of the methods as under and according to the directions of the Chief Public Health Engineer :
 - (a) screening and land irrigation after dilution—provided no food crops which are eaten raw are grown in the fields ;
 - (b) screening, primary settlement and discharge after chlorination ;
 - (c) screening, primary settlement followed by biological treatment and chlorination ;
 - (d) screening, primary settlement followed by biological treatment and chlorination with sludge digestion in lagoons, tanks with or without provision for gas collection.
2. The treatment plant to work continuously throughout day and night and septicity of sewage is to be prevented.
3. *Standards of Treatment :*
 - (a) Land irrigation—Raw sewage after sedimentation :

- (i) on grassy soil—25,000 g a d
- (ii) on sandy soil—50,000 g a d
- (b) Intermittent sand filters :
 - (i) Raw sewage—80,000 g a d
 - (ii) Settled sewage...120,000 g a d
- (c) Contact beds :
 - Range—1.25,000—1,50,000 gals/acreft/day.
- (d) Standard Filter :
 - (i) Low rate—1-3 m g a d
 - (ii) High rate—16-30 m g a d
- (e) Activated Sludge Process :
 - Tank capacity—0.35—0.39 cft/gal. of sewage.

4. Standards of Effluent:—

- (a) When the dilution is over 500 volumes, raw sewage to be discharged after removing floating matters only.
- (b) When the dilution range is between 300 and 150, sedimentation is essential and suspended solids in the effluent to be kept at 60 ppm.
- (c) When the dilution range is between 500 and 300, sedimentation to be adopted and suspended solids in the effluent may be as high as 150 ppm.
- (d) Generally, treated effluent not to contain more than 30 ppm. of suspended solids and not to take up dissolved oxygen more than 20 ppm in a 5-day BOD test at 65°F.

C. Sullage Drains :

1. Sullage drains to carry only rain water from roofs and yards, wastes from kitchen and bathroom. They are not to be allowed to receive the wastes from latrines and urinals.
2. The whole system of open drains should be well-planned, with the best available gradients, an outfall and a method of disposal. The authorities concerned should arrange for daily flushing and cleansing of open drains.
3. A minimum self-cleansing velocity of 2 ft. per second to be maintained.
4. These drains to be provided with a capacity such that during rains flooding is avoided.
5. Where the water supply is less than 15 gallons per capita per day, or the flushing is defective, kitchen and bath water shall be led into properly constructed soakage wells.

(N.B.:—ppm—parts per million :)

g a d—gallons per acre per day :)

BOD—biochemical oxygen demand :)

VI. SANITARY LATRINES, SEPTIC TANKS AND DISPOSAL OF NIGHTSOIL

A. Sanitary Latrines :

1. Every house to have at least one latrine and this is to be non-service type sanitary latrine—either dug well, bore-hole or septic tank.
2. *Seat*—to be of impervious material : of the type suitable for local habits and of age groups, with water seal of minimum 1½" inch.

B. Septic Tanks :

1. *Septic tanks*—for temperate climates, capacity provided to be 2.5 cft/user while for cold climates this to be increased to 3.5 cft/user.
2. Minimum water depth 4'6", with an additional air space of 1' to 1½' shall be maintained. But the capacity shall be guided by temperature condition of the place.
3. Adequate ventilation to be provided for : size of ventilator pipe 3" or more.
4. Effluent from domestic septic tanks should be used, if possible, in the soil for kitchen gardens, by subsoil percolation or surface irrigation if the subsoil water is not too high and land at the rate of 70 sq. ft. per user is available. If there is not sufficient land, the effluent may be discharged into a sullage drain after chlorination.
5. Septic tanks should be provided with means of desludging and should be deslugged regularly.
6. Septic tank latrines with flushing arrangements and not bore-hole or dug-well latrines, may be used for public latrines in unsewered areas, provided sufficient water is available for the purpose.

C. Disposal of Nightsoil

1. Service privy is the least satisfactory type of latrine and should be prohibited. It may be allowed only if no other method of disposal of nightsoil is possible.
2. For house to house collection, pails made of G.I. sheets provided with handles and cover, shall be used and carried to pail depots or nightsoil carts, or poured down into a public sewer inside a well-protected enclosure.

3. Nightsoil carts—commercial size 100 gallons capacity—and able to turn 180, for emptying.
4. *Pail Depots*—
 - (i) shall be located in a place away from inhabited locality;
 - (ii) shall have brick walls all round—minimum height 10 ft.;
 - (iii) must have an impervious floor;
 - (iv) shall have a hydrant for flushing—minimum size 3" with a minimum discharge of 400 gallons per minute.
5. *Trenching and composting*:
 - (a) Mechanical transport is preferred.
 - (b) Trenches—trapezoidal in section with top 2'6" wide and not more than 3' deep and 40-100 ft. long; longitudinal slope 1 in 100. A layer of 6" — 9" of nightsoil shall be spread and covered with excavated earth with the top in the form of a mound and left in that state for a minimum period of 6 months before the trench can be used again. Minimum space between the trenches to be at least 3'.
 - (c) The trenching ground shall be selected at a site at least $\frac{1}{2}$ mile away from human habitation and shall be connected with a good road for mechanised transport.
 - (d) Washing arrangement at the trenching ground shall be provided.
 - (e) For composting, a similar trench is recommended; the trench shall be started with a layer of refuse and finished with the same, the alternate layers being 6" refuse and 2" nightsoil, and finally covered with earth.
 - (f) In composting, the trench should be allowed to rest for 4 to 5 months and subsequently the compost may be taken out and allowed to cool for one month before it can be pulverised and utilised as manure.

VII. REFUSE COLLECTION AND DISPOSAL

1. Refuse to be collected from house to house in covered house-service bins and public bin system may, if possible, be eliminated.
2. These house-service bins shall be made of impervious materials and have a capacity to hold refuse for at least 2 days. They should be placed on impervious platforms.
3. Number of collections shall be not less than 3 times a week for household purposes in less congested areas, whereas in congested parts, collection to be made at least once a day. In market places minimum service to be given should be twice a day.
4. Refuse must not be mixed with nightsoil; nightsoil to be collected separately and "dalao" system abolished.
5. Refuse to be disposed by either of the following methods as directed by the Chief Public Health Engineer:—
 - (a) dumping at sea;
 - (b) dumping in other waterways (not meant for human use);
 - (c) dumping in low-lying areas—controlled dumping;
 - (d) ploughing in lands (only for villages);
 - (e) dumping in small pits (only for villages);
 - (f) incineration;
 - (g) composting (for a population below one lakh);
 - (h) trenching.

VIII. TREATMENT AND DISPOSAL OF INDUSTRIAL WASTES

The wastes from industries shall be treated prior to its discharge into a public sewer, river, stream, channel or inland water collection or on land, by adopting one of the methods or combination of methods such as sedimentation, screening, coagulation, chemical precipitation, septic tank treatment, activated sludge process, biofiltration method followed by chlorination, superchlorination or any other chemical treatment to prevent pollution of water-sources and of the soil and to avoid obnoxious odour, fly and other nuisances.

(1) *Wastes from Milk Products Industry* :—

The wastes from processing of milk products consisting of washings, spillage, spoiled products and byproducts and almost entirely composed of organic material in solution or colloidal suspension, larger suspended organic solids, sand and other foreign particles shall be disposed of in the manner indicated below :—

- (1) Byproducts and spoiled products shall not be discharged into the drains, sewers, streams or land but shall be utilised for animal feeding and other purposes.
- (2) (a) Land irrigation of wastes from plants in sparsely populated areas provided the land is light and sandy and is kept under constant cultivation to prevent pooling and that the production of odour, if any, is controlled by application of chlorine at the rate of 20 parts per million.
- (b) Screening with $\frac{1}{2}$ " inch wire mesh into a grit chamber of such size as to reduce the velocity to about 1 foot per second; the deposits being disposed of by burial. Subsequent treatment of the waste may be carried out by either biological filtration or activated sludge to produce an effluent that can be satisfactorily disposed off in drain, sewer, stream or land. The B.O.D. of the final effluent after treatment should not exceed 50 p.p.m.

(2) *Wastes from Vegetable Canning, Freezing and Dehydration Industry :—*

The wastes from vegetable canning freezing and dehydration industry consisting largely of carbohydrates in suspension and foreign matters from spillage and washing and not containing organic substances inimical to normal biological treatment shall be disposed of in the manner indicated below :

- (1) Solid wastes to be handled separately by composting and converting into manure or by burial.
- (2) Liquid wastes may be disposed of by—
 - (a) land irrigation with or without any treatment, provided sufficient land with suitable porosity is available and there is no underground seepage which might contaminate streams, wells or tanks and there is no possibility of surface run off from flooding ;
 - (b) (i) before discharge into a stream, lake or large collection of water or into public sewers, screening through 40 mesh screens is necessary ;
 - (ii) chemical precipitation with lime or with coagulants may be used to bring about 50% reduction in B.O.D. : the sludge may be dried on open beds or let out for field irrigation ;
 - (iii) biological treatment in trickling filters for B.O.D. removal to about 80 to 90%.

(c) *Caution :—*

Stack liquor heavily laden with soluble organic matter and having an obnoxious odour of butyric acid and other decomposition products should not be discharged as it is or mixed with other wastes into sewage treatment plants. They may be segregated in tanks and disposed off separately on land or streams.

(3) *Wastes from Slaughter Houses :—*

The wastes from slaughter houses and meat-packing processes containing large amount of suspended solids are highly putrescible, quickly becoming septic with a disagreeable odour and high oxygen demand and having pollutional effects such as oxygen depletion, discolouration, sludge deposit, scum formation, and insects nuisance ; these shall be disposed of in the manner indicated below :

- (a) Sedimentation, with or without coagulants, followed by septic tank treatment, roughing filters, superchlorination or activated sludge and low rate sand filtration to give B.O.D. reduction varying from 40% to 90%.
- (b) After settling, aeration and passage through trickling filters, the effluent may be discharged into sewers for further treatment.

(4) *Wastes from Fermentation Industries :—*

The wastes from fermentation industries after recovery of useful products vary with the nature of fermentating processes and raw materials and may be disposed of after suitable treatment into large volumes of water or on land.

(5) *Wastes from Grain Starch Industry :—*

The wastes from grain starch industry from wet-milling and bottled up processes consisting of condensates from stripping towers, entrainment from evaporators and washing waters polluted with organic solubles from the kernels are amenable to treatment when mixed with domestic sewage and may be disposed of in the sewers after screening and primary sedimentation.

(6) *Wastes from Tanning, Fat-processing and Laundry Soap Industries :—*

The composite wastes from tannery which vary widely in strength carrying large amounts of suspended matter including various constituents such as hair, particles of flesh and suspended particles of lime and calcium carbonate, are inherently putrid and eventually become highly offensive. Wastes from vegetable tanneries are highly coloured from spent tan liquors and the colour persists for long periods in the stream receiving tannery wastes. In wastes from chrome tanneries colour is absent, but Anthrax may be transmitted, though very rarely, and arsenic, which is sometimes used for hair removal, may be present and may check biological action.

Tannery wastes may be disposed of in the manner indicated below :—

- (1) Tannery wastes not exceeding 10% of total flow of the sewage from any city present no difficulty in sewage treatment process. Mixtures of tannery wastes and domestic sewage can be adequately treated in properly designed plants.

- (2) Tannery wastes may form lime mortar inside receiving sewer, and this requires treatment with flue gas prior to discharge.
- (3) Treatment of tannery wastes for disposal into water courses, involves one or a combination of the following processes : collocation and sedimentation with or without coagulants, biological treatment in sand filters or trickling filters and adequate means for sludge disposal.

(7) *Wastes from Edible Oil Refining and Soap Manufacture :—*

The wastes usually consisting of wash water from the washes immediately following a caustic treatment and from washing of utensils, equipment and floors may interfere with sewage plants because of their high grease contents and excessive acidity acting on concrete sewers unless neutralised with lime before discharge and may be finally disposed of after screening, sedimentation and anaerobic digestion.

(8) *Wastes from Textile Dyeing and finishing works :—*

- (1) Wools-scouring liquors should be treated at their sources and the treated effluents after centrifuging, chlorination, coagulation and secondary treatment may be discharged to the sewage system or to neighbouring stream.
- (2) The final effluent from the wastes from dyeing and finishing processes contributed by the spent liquors and subsequent washing after singeing, bleaching, dyeing and finishing, after treatment by usual methods of chemical precipitation followed by sedimentation and filtration or other suitable treatment, may be discharged into a water course.

(9) *Wastes from Pulp, Paper, Paperboard and Strawboard Industries :—*

The wastes produced by the industry are of the group classed as organic wastes, both suspended and dissolved. The main objections to the discharge of mill effluents in respect to the condition of receiving stream, when dilution is low, are oxygen depletion, floating materials, deposits of suspended matter, toxicity to fish, colour, and odour. The final effluent may be disposed of after treatment methods such as screening, sedimentation, precipitation, coagulation, activated sludge, trickling filter, evaporation and burning or other suitable treatment, to avoid stream pollution difficulties.

(10) *Acid Wastes :—*

Acid wastes which may be a solution of one acid or a mixture of several acids with or without suspended matters or highly dissolved salt concentration may be disposed of after adoption of remedial measures for volume reduction, strength reduction, equalisation and interaction, with other wastes. Equalisation may be necessary even where the total amount of acid waste is insufficient to damage stream life, sewers or sewage treatment processes.

- (a) Equalisation of acid chemical wastes detained in large water collections with or without mixing devices and baffles is essential. The quality of the industrial wastes discharged into sewers shall have a pH between 4.2 to 8.4 indicating that the wastes have a low mineral acidity or caustic alkalinity.
- (b) Neutralisation with lime and other substances is necessary for wastes with high acid concentration which when discharged into streams may interfere with natural self-purification, raise the hardness and cause a decrease of fish population.

Caution : The high nitrate concentration wastes from explosive factories even after neutralisation may cause excessive growth of algae and may impart colour, taste and odour to the water of the stream. Disposal by mixing with sewage may be tolerated to a certain extent without affecting the B.O.D. reduction in the activated sludge process.

(11) *Wastes from Steel Pickling Industry :—*

Wastes from steel factory consisting of 1-9% of sulphuric acid and ferrous sulphate, and this may be conveniently utilised for recovery of ferrous sulphate or in the disposal of sewage where ferrous sulphate acts as a coagulant and brings about improved clarification in the primary settling tanks. Neutralisation of the free acid is usually done by the soda ash because it is easy to apply and avoids sludge deposits in sewers.

(12) *Plating Wastes :—*

The waste usually consist of low concentrations of metals as ions or as cyanide complexes in solution and may be either acid or alkaline depending on the type of baths used. Electroplating wastes are toxic to fish and fish food, corrosive to metal and concrete structures of the sewers and affect sewage because of the toxic reaction of the waste chemicals on the biological organisms which cause purification.

- (a) It is highly advisable to isolate the wastes containing cyanides and treat these separately from other wastes.
- (b) Because of the toxicity of the cyanide wastes great care must be taken for location, design and operation of such plants.
- (c) After treatment by approved methods in sealed tanks and use of blowers for diffusion of poisonous gas the effluents which may contain about 1 p.p.m. of cyanide may be disposed of in such manner as would provide sufficient dilution for the complete safety of the effluent after discharge into a stream or a sewage system.

(13) *Wastes from Coal Industry :—*

Treatment of acid water and reduction of the acid content in mine drainage should be done before discharge into streams.

(14) Wastes from Oil Refining Industry :—

Oilfield brine may be disposed of after removal of suspended matters and necessary chemical treatment and aeration into sea or into subterranean formations. Other wastes may be dealt with by appropriate treatment methods.

(15) Laundry Wastes :—

Large volume of soapy wastes with high oxygen demand from power laundries may require treatment by sedimentation chemicals, trickling filters, and activated sludge, before discharge.

(16) Sugar Wastes :—

Disposal of wastes is frequently done either on land or into streams, and pollutional characteristics may widely vary both in B.O.D. and suspended solids. All waste products should be re-used, as far as possible, as a source of fuel, fertilisers, and irrigation water.

(17) Wastes from Rubber Industry :—

Waste to be treated by neutralisation, settling tanks and save-alls to remove suspended matter including rubber particles and the effluent to be treated suitably for disposal on land or water.

Prevention of Pollution of Water

(1) In the disposal of sewage and other oxidisable organic wastes into surface waters, regard shall be had to the effects of pollution on such waters and the subsequent use or uses of such waters for different purposes.

***(2) Note on Biological Zones in a Polluted Stream :—**

The over-all physical, chemical and biological changes brought about as a result of discharge of sewage and other oxidisable organic wastes have been divided into different zones on the basis of various criteria. A system of zoning on the basis of biological characteristics has been suggested as under :

Zone I : Zone of Active Bacterial Decomposition :

This zone is immediately below the source of pollution and is characterized by a low dissolved oxygen content (between 3 to 0 p.p.m.), a high B.O.D., a high bacterial count, the presence of bacteria-eating protozoa such as Paramecium, Colpidium, Vorticella and Carechesium, and a few flagellates. The total volume of plankton is low. In the bottom deposits are found Tubifex and Limnodrilus worms. Gas evolution often brings sludge to the surface. Sewage fungus is present. Only a few coarse fish such as carp and buffalo are found at the mouth of the sewer.

Zone II : Zone of Intermediate Bacterial Decomposition

The rate of biochemical activity is decreased and as a result the dissolved oxygen increases to 3 to 5 p.p.m. The plankton volume is higher but the plankton is still made up of pollutional forms requiring a rich medium or feeding on bacteria and solid particles. There is an increase in green and blue-green organisms. In addition to carp and buffalo, shiners, minnows, suckers and sunfish are found.

Zone III : Fertile Zone :

This zone has a dissolved oxygen content above 5 p.p.m. and is characterized by a large variety and volume of green algae and a decrease of pollutional protozoa. The fertilizing effect of the decomposed sewage and wastes has resulted in an increase in biological productivity. Forage and market fish increase in numbers.

Zone IV : Game Fish Zone :

In this section the plankton volume diminishes sharply and only the clean water forms remain. The dissolved

* From 'Industrial Wastes'—(USA)

oxygen level remains near the saturation point. Bass, perch, wall-eyed pike and other game and forage fish predominate.

Zone V: *Biological Poor Zone* :

Plankton volume is even lower in this zone and consists entirely of clean water forms. Fish are scarce in comparison with the previous zone and are mainly forage and game fish. The reduction of fish is associated with the low plankton population resulting from the exhaustion of available food.

(3) **Waste Disposal by Dilution** :

Disposal of sewage by dilution shall include sufficient diluting water high in dissolved oxygen to prevent putrefaction and to maintain fish life; adequate current to prevent sedimentation and to carry sewage away; absence of back current or quiet pools favourable to sedimentation in the body of water in which disposal is taking place. Conditions to be prevented are: offensive odours, sludge banks, rise of septic gases, deposit on shores, excessive oxygen depletion, unsightly discoloration, pollution of shell fish and killing of other fish life and unsightly floating or suspended matter.

(4) **Permissible pollution**

Permissible limits of pollution for particular body of water depends on subsequent use, which are :—

- (1) natural state ;
- (2) drinking water standard ;
- (3) preservation of fish ;
- (4) safety for agricultural use ;
- (5) industries ;
- (6) recreational standard ;
- (7) freedom from nuisance ;
- (8) Commercial use, such as navigation.

No uniform standard of quality is possible because of different conditions in various regions. The principal consideration shall be, in promulgation of standard :

- (1) health ;
- (2) aesthetic ; and
- (3) economics,

In all waters dissolved oxygen shall be above 3 p.p.m. and carbon dioxide not more than 40 p.p.m. For bathing purposes, coliaerogenes index to be preferably below 100 in 100 c.c. and maximum limit 1000 in 100 c.c.

(5) **Sewage Outfalls** :

Before discharging sewage hydrological survey of the body of receiving water to be made, to satisfy the conditions referred to in 3 and 4 above, as well as for direction of flow and intake points for water supply on the down-stream side.

(6) **Treatment** :

In all cases of disposal of sewage by dilution, screening, sedimentation of heavy grits and removal of grease and oil prior to discharge, are to be carried out.

(7) **Stream conditions and its relative fitness for various uses :**

Characteristics	Stream uses	Range of characteristics :	Remarks
Dissolved oxygen (DO) (minimum monthly average DO in ppm)	Fish life. General sanitary condition. Reaction.	0-3.0.	Heavy pollution and probable nuisance at times ; little fish life.
		3.0-5.0.	Moderate to heavy pollution ; no nuisance ; fish life restricted to coarse species.
		Above 5.0	Slight to moderate pollution : fish life varied. abundant and healthy ; game fish at higher minimum levels.
Biochemical oxygen demands (BOD) (maximum monthly average BOD in ppm)	General sanitary condition. Reaction.	0-3.0	Slight to moderate pollution.
		3.0-5.0	Moderate to moderately heavy pollution.
		Over 5.	Heavy pollution.
pH (average daily pH value).	Water supply ; Fish life reaction ; Navigation ; Industry.	6.5-8.6	Normal for unpolluted stream ; favourable to fish life ; suitable for water supplies.
		5.5-6.5	Moderate acid pollution ; tolerable to fish life ; suitable for water supply prior to treatment.
		4.0-5.5	Moderately heavy acid pollution, detrimental to fish life ; fairly suitable for water supplies prior to treatment.
		Less than 4.0	Heavy acid pollution ; lethal to fish life ; unfavourable to water supplies prior to treatment.
Coliform (bacterial) organism (limiting monthly average coliform per c.c.).	Water supply ; Water sports & Bathing.	0-0.5.	Suitable for purification by simple chlorination.
		Not over 1.0	Bathing ; sports
		0.5-50.0	Suitable for purification by filtration and other methods of treatment.
		Over 200.	Unsuitable for treatment.

X. SLAUGHTER HOUSE

1. Location :

Preferably away from residential areas ; may be located in a market if suitable accommodation is available. Sheds to be kept out of public eyes by high walls all round.

2. Structure :

Floor and walls upto 3' should be impervious and easy to clean.

3. Disposal of Wastes :

Blood, offal, etc., should not be discharged in public sewer and should be collected separately. Intestines, hoofs and horns to be disposed separately.

4. Water Supply :

Independent, adequate and continuous.

5. Examination of Animals :

Ante-mortem and post-mortem examination to be arranged. Animals or meat found unfit for human consumption should be destroyed or denatured.

6. Miscellaneous :

Animals other than those to be slaughtered shall not be allowed inside the shed.

7. Storage of Meat :

If fly-proof and rat-proof rooms under sanitary conditions ; for over-night storage the temperature of the room shall be maintained at 35°F.

8. Transportation of Meat :

Meat shall be transported in fly-proof covered vans during slack period of traffic.

XI. CAMPS, FAIRS AND FESTIVALS

1. Lodging Houses and Dharamsalas :

(a) Every room in lodging houses and dharamsalas shall not be less than 200 sq. ft. with a minimum height of 10 ft., and 10% of the floor area as window opening.

(b) Every such place shall have a separate kitchen and cooking inside the living room shall be strictly prohibited.

(c) All floors shall be of impervious materials and easy to clean and wash.

2. Temporary Sheds :

Each shed shall not be more than 100 ft. in length and 20 ft. in width, with separate cooking place.

3. Water Supply :

(a) In permanent pilgrimage places for periodical gathering of 50,000 or more persons, permanent water supply arrangement at the rate calculated at 6 gallons per capita per diem shall be provided from public taps at the rate of 1 for every 150 persons, and the supply should preferably be chlorinated and continuous.

(b) In case of temporary gatherings, disinfected water to be supplied by trucks and trailers at convenient points. Where the gathering is to last for more than 2 days, temporary spot tubewells or temporary pipe water supply is to be arranged.

(c) Mass disinfection of neighbouring water sources—both private and public—like masonry wells, ring wells, tubewells, etc., to be started a week prior to congregation and to continue for a week after the congregation is over.

4. Latrines :

(a) Shallow or deep trench latrines maximum length not exceeding 100 ft. to be constructed. Number of seats to be calculated @ 1 for 20 persons. There should be an adequate number of sweepers and methors.

(b) Ablution water to be made available near latrines.

(c) Separate enclosure to be provided for women and sadhus.

(d) Sites for all latrines to be at least 50' away from drinking water sources and foodstuffs.

5. Refuse Collection :

Public bins to be provided at convenient places for collection and particularly in front of eating shops, and should be disposed of once or twice daily as may be required.

6. Restaurants and Eating Shops :

Shall be located away from any collection of filth, latrines or sources of nuisance. To be kept clean and free from flies.

7. Use of Disinfectants and Disinfectants :

(a) Bleaching powder and other disinfectants shall be liberally used.

(b) DDT residual spraying method shall be adopted for keeping down flies and mosquitos.

XII. RESTAURANTS AND EATING HOUSES

1. Location :

Shall not be near any accumulation of filth or open drain, stable, manure-pit and other sources of nuisance.

2. Floors :

To be higher than the adjoining land, made with impervious material and easy to keep clean.

3. Rooms :

(a) Rooms where meals are served shall not be less than 100 sq. ft. and shall provide accommodation for maximum 10 persons.

(b) Walls upto 3' height ; should be smooth, corners to be rounded ; should be impervious and easily washable.

(c) Lighting and ventilation—ample natural lighting facilities aided by artificial lighting with good circulation of air are necessary.

4. Kitchen :

(a) Floor space minimum 60 sq. ft.

(b) Window opening to be 25% of floor area.

(c) Floor to be impervious, smooth, easy to keep clean but non-slippery.

(d) Doors and windows to be rat-proof and fly-proof—of self-closing type.

(e) Ventilators 2% of floor area, in addition to spoke pipes.

5. Storage of cooked food :

Separate room to be provided. For long storage, control of temperature is necessary.

6. Storage for un-cooked foodstuff :

Perishable and non-perishable articles to be kept separately, in rat-proof and vermin-proof space ; for storage of perishable articles temperature control should be adopted.

7. Furniture :

Should be reasonably strong and easy to keep clean and dry.

8. Disposal of Refuse :

To be collected in covered, impervious bins and disposed of twice a day.

9. Water Supply :

To be independent source, adequate, continuous and safe.

10. Washing facilities :

To be provided. Cleansing of utensils and crockeries to be done in hot water and followed by disinfection.

XIII. SCHOOLS

1. Site :

- (a) The site should be on suitable high land, not subject to inundation or dampness and can be properly drained, not far from inhabited localities and with good approach.
- (b) Area of the land, including playground, shall be between 60 to 100 sq. ft. per student ; minimum in congested areas 30 sq. ft. per student ; in such congested areas, the nearest public park or playground, should be made available to the students.

2. Structure :

- (a) Nursery and Secondary schools should, as far as possible, be single-storied.
- (b) Exterior walls shall have a minimum thickness of 10" masonry and should be heat resisting.

3. Class Rooms :

- (a) Verandahs should be attached to class rooms.
- (b) Class rooms shall not be less than 100 sq. ft.
- (c) Length of the room maximum 30 ft., width maximum 20 ft., with a minimum height of 10 ft.
- (d) No class room to accommodate more than 40 students.
- (e) Per capita space for students in a class room shall not be less than 10 sq. ft.

4. Furniture :

- (a) To suit the age-group of students.
- (b) Chairs and desks or high benches to be provided with proper back-rests, with facilities for desk work.

5. Doors & Windows :

- (a) Broad windows with bottom sill at a height of 2'6" from the floor level.
- (b) Combined door and window area shall be at least 25% of the floor space.
- (c) Windows to be placed on different walls for cross ventilation.

- (d) If ventilators are provided, the area of the ventilator shall not be less than 2% of the floor area.

6. Colour :

Inside colour of the class room to be white and should be periodically white-washed.

7. Lighting :

Class rooms to have sufficient natural light preferably from the left, and shall not be from the front.

8. Water Supply :

There should be an independent source of safe and potable water supply, which should be continuous. Distribution should be from taps.

9. Eating Facilities :

- (a) Vendors other than approved by the school authorities are not to be allowed inside school premises.
- (b) School authorities to arrange for mid-day tiffin or meals of such standard as may be approved by the Director of Health Services.
- (c) There should be a separate room provided for mid-day tiffins.

10. Lavatory :

Privies and urinals should be provided on the basis of one seat for 25 students. Arrangements should be separately provided for boys and girls.

