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## **Uttar Pradesh Municipalities Act, 1916 (Excerpts)**

(Excerpts - water supply and sanitation provisions)

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## UTTAR PRADESH MUNICIPALITIES ACT, 1916

### *Water Supply*

**224. Power of [Municipality] to construct and alter water- works.-**The [Municipality] may, -

- (a) construct water-works within or, subject to the provision of sub-section (2) of Section 120, outside the [municipal area], and may carry such works through, across, over or under any street or place, and after reasonable notice in writing to the owner or occupier, into, through, over or under any buildings or land;
- (b) from time to time enlarge, lessen, alter the course of, cover in or otherwise improve any water-works and discontinue, close up or remove the same;
- (c) with the previous sanction of the State Government, grant to any person or company a licence to supply water within [municipal area] and for this purpose to lay down mains and pipes, construct water-works and do all other necessary acts or things; and
- (d) with the same sanction, transfer all or any part of it existing water-works to the management of such licensee :

Provided that such sanction shall not be given unless the State Government is satisfied that it will be in the best interest of the public concerned.

**224-A. Powers and liabilities of licensee.-**(1) When a licence is granted under clause (c) of Section 224, the rate at which, the manner in which, and the person by whom, payments shall be made to the licensee for water supplied by him and the terms and conditions on which the licensee may grant water connections to the consumers shall be settled between the [Municipality] and the licensee and entered in the licence, and the [Municipality] may delegate to the licensee any of the powers conferred on it by this Act or rules relating to water-works and water-supply :

Provided that the power of assessment of water-tax and of its recovery otherwise than by a civil suit shall not be delegated to the licensee.

(2) Such licensee with the previous sanction of the [Municipality] may exercise the powers conferred on the [Municipality] by Sections 225 and 227 of this Act.

**[224-B. Revocation of existing licences.—**Every licence granted under clause (c) of Section 224 shall, if not already revoked, stand revoked with effect from June 13, 1975.]

**[224-C. Provisions where licence of a licensee is revoked.—**(1) Where the licence of a licensee is revoked under Section 224-B as it stood immediately before the commencement of the U.P. Municipalities (Amendment) Act, 1975, or where such licence stands revoked by virtue of the new Section 224-B as substituted by the said Act, all the property pertaining to the water-works (namely, all existing water supply services, including all plants, machinery, water-works, pumping sets, filter beds, water mains and pipes laid down along, over or under any public street, and all buildings and other works, materials, stores and things appurtenant thereto) belonging to or vested in the licensee immediately before the date of revocation of the licence (hereinafter in this section referred to as the 'said date') shall as from the said date vest

in and stand transferred to the [Municipality] free from any debt, mortgage or similar obligation of the licensee attached to such property:

Provided that any such debt, mortgage or similar obligation shall attach to the amount referred to in sub-section (2) in substitution for such property.

(2) Where any property belonging to the licensee vests in the [Municipality] under sub-section (1), not being water-works of which only the management was transferred to him by the [Municipality] under clause (d) of Section 224 the [Municipality] shall pay to such licensee an amount determined as hereinafter provided in this section :

Provided that the licensee shall, in addition to the said amount, be paid interest thereon on the Reserve Bank rate ruling on the said date plus one percentum for the period from the said date to the date of payment of the said amount.

(3) The State Government shall appoint, by order in writing, a person having adequate knowledge and experience in matters relating to accounts, to be Special Officer to assess any amount payable under this section to the licensee after making the deductions mentioned in this section.

(4) (a) The Special Officer may call for the assistance of such officers and staff of the State Government in the Local Self-Government Engineering Department or of the licensee as he may deem fit for assessing the net amount payable.

(b) The Special Officer shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908, when trying a suit, in respect of the following matters :—

- (i) enforcing the attendance of any person and examining him on oath;
- (ii) compelling the production of documents; and
- (iii) issuing commission for the examination of witnesses.

The Special Officer shall also have such further powers as may be specified by the State Government by notification in the Gazette.

(5) The gross amount payable to such licensee shall be the aggregate value of the amounts specified below,—

- (i) the book value of all completed works in beneficial use pertaining to the water-works and taken over by the [Municipality] (excluding works paid for by the consumers), less depreciation calculated in accordance with the Table appended to this section;
- (ii) the book value of works in progress taken over, excluding works paid for by the consumers or prospective consumers;
- (iii) the book value of all stores, including spare parts taken over and in the case of used stores and spare parts, if taken over, such sum as may be decided upon by the Special Officer;
- (iv) the book value of all other fixed assets in use on the said date and taken over, less depreciation calculated in accordance with the said Table;
- (v) the book value of all plants and equipments existing on the said date, if taken over, but no longer in use owing to wear and tear or to obsolescence, to the extent such value has not been written off in accordance with the said Table.

*Explanation.*—The book value of any fixed asset means its original cost, and shall comprise,—

- (i) the purchase price paid by the licensee for the assets, including the cost of delivery and all charges properly incurred in erecting and bringing the assets into beneficial use, as shown in the books of the licensee;
- (ii) the cost of supervision actually incurred, but not exceeding fifteen per cent of the amount referred to in paragraph (i) :

Provided that before deciding the amount under this sub-section, the licensee shall be given an opportunity by the Special Officer of being heard, after giving him a notice of at least 15 days therefor.

(6) The [Municipality] shall be entitled to deduct the following sums from the gross amount payable under sub-section (5) to the licensee,—

- (a) all amounts and arrears of interest, if any, thereon, due from the licensee to the [Municipality];
- (b) all amounts and arrears of interest, if any, thereon, due to the State Government or the State Electricity Board;
- (c) any amount of wages, bonus, gratuity, provident fund or other payments due to remaining unpaid on the said date to persons employed as workmen (within the meaning of the U.P. Industrial Disputes Act, 1947), in connection with the water-works;
- (d) any amount which licensee may have failed to pay in respect of either his contribution or the employees' contribution realised by him or any other dues recoverable from licensee under the Employees' Provident Fund Act, 1952 or the Employees' State Insurance Act, 1948 in respect of persons employed in connection with the water-works.

(7) The liability of the licensee towards the State Government or the State Electricity Board or towards his employees, as the case may be, to the extent of deduction made under sub-section (7) shall stand discharged. Upon any such deduction being made the [Municipality] shall to that extent be liable to make payment to the State Government, the State Electricity Board or the workmen, as the case may be.

(8) Where the gross amount payable to the licensee is equal to or less than the amount to be deducted under this section no payment shall be made to the licensee by the [Municipality].

(9) The amount, if any, payable by the [Municipality] to the licensee shall be as determined by the Special Officer under sub-sections (5), (6) and (8) and nothing in Section 324 shall be construed to apply in relation to the determination of the amount payable by the [Municipality] under this section.

***Table of depreciation based on the period of life expectancy of various assets***

There shall be deducted for each year in respect of fixed assets employed in the licensee's undertaking such an amount as would, if set aside annually throughout the period specified in the following table and accumulated at compound interest at four per cent per annum, produce at the end of the said period an amount equal to ninety per cent of the original cost of the asset after taking into account the sums already written off or set aside in the books of licensee :

<b>Column 1</b> <b>Description of asset</b>	<b>Column 2</b> <b>Number of years or period</b>
A. Land owned under full title	Infinite
B. Land held under lease.	The period of the lease or the period remaining unexpired on the assignment of the lease.
C. Assets purchased now —	
(a) building and Civil Engineering works of a permanent character not mentioned above-	
(i) Offices	Fifty
(ii) Temporary erections such as wooden structures.	Five
(iii) Roads other than Kachcha Roads.	One hundred
(iv) Others	Fifty
(b) Self-propelled vehicles	Seven
(c) (i) Office furniture and fittings.	Twenty
(ii) Office equipment	Ten
D. Assets purchased second hand and assets not otherwise proposed for in this Table.	Such reasonable period as the Special Officer determines in each case having regard to the nature, age and condition of the asset at the time of its acquisition by it-]

**225. Power to require private water-course, etc. to be cleaned or closed.—**

(1) The [Municipality] may, by notice, require the owner of, or the person having control over a private water-course, spring, tank, well or other place, the water of which is used for drinking, to keep and maintain the same in good repair and to clean the same, from time to time, of silt, refuse or decaying vegetation and may also require him to protect the same for pollution in such manner as the [Municipality] may think fit.

(2) When the water of any such water-course, spring, tank, well or other place is proved to the satisfaction of the [Municipality] to be unfit for drinking, the [Municipality] may, by notice, require the owner, or person having control thereof to desist from so using such water or permitting others to so use it, and if, after such notice such water is used by any person for drinking, the [Municipality] may, by notice, require the owner or person having control thereof to close such well either temporarily or permanently, or to enclose or fence such water-course, spring, tank, well or other place in such manner as it may direct, so that the water thereof may not be so used.

**226. Emergent powers on outbreak of epidemic.**—In the event of a [municipal area], or any part thereof, being visited with an outbreak of cholera or other infectious disease notified in this behalf by the State Government, the [President] of the [Municipality] or any person authorised by him in this behalf, may, during the continuance of the epidemic, without notice and at any time, inspect and disinfect any well, tank or other place from which water is, or is likely to be, taken for the purpose of drinking, and may further, take such steps as he deems fit to prevent the removal of water therefrom.

**227. Removal of latrines, etc. near any source of water supply.**— The [Municipality] may, by notice require an owner or occupier on whose land a drain, privy, latrine, urinal, cesspool or other receptacle for filth or refuse exists within fifty feet of a spring, well, tank, reservoir or other source from which water is, or may be, derived for public use, to remove or close the same within one week from the service of such notice.

**228. Obligation of [Municipality] imposing water-tax.**—(1) [Every municipality] in which a water-tax is imposed, shall be bound,—

- (a) throughout a prescribed area or prescribed areas—
  - (i) to maintain a system of water-supply through pipes, and
  - (ii) to lay on water at a prescribed pressure and during prescribed hours, and
  - (iii) to supply in all the chief streets in which mains have been laid, water to stand-pipes or pumps situated at such intervals as are prescribed; and
- (b) [subject to the rules as may be framed] to allow the owner or occupier of any building or land assessed to a prescribed minimum water-tax to connect for the purpose of obtaining water for domestic purposes, the building or land with a main by means of a communication pipe of the prescribed size and description; and
- (c) to supply, within every twenty-four hour, to every owner or occupier entitled to a house connection under clause (b) whose land or building is provided therewith such amount of water as is prescribed with reference to the water-tax payable by him and his estimated requirements for domestic purposes, into a storage cistern erected in or on the building or land, of a capacity not less than such amount and of a prescribed pattern and at an altitude not exceeding the maximum prescribed for the same.

(2) The word "prescribed" in sub-section (1) means prescribed by rule under Section 235.

**229. Supply of water by agreement.**—Every Municipality] may by agreement supply any owner or occupier of land with any water that he may require for any purpose for such remuneration, consistent with any rate or rates prescribed by rule, and on such terms and conditions, consistent with this Act and with any rule, as are agreed on between the [Municipality] and such owner or occupier.

**230. Charges for water supply.**—(1) When any building or land is connected with a main, the [Municipality] may, so far as is consistent with any agreement made under Section 229, charge the owner, lessor, or occupier, whichever is prescribed by rule, for all water consumed at the rate or rates so prescribed.

(2) Provided that the [Municipality] shall deduct from the charge on account of water supplied in any month one-twelfth of the water-tax assessed on the building or land.

**231. Exemption of [Municipality] from liability owing to accident, etc.—**Notwithstanding any obligation imposed on a [Municipality] by Section 228 or by any agreement made under Section 229, a [Municipality] shall not be liable to any forfeiture, penalty or damages for failure to supply water, if the failure to supply arises from accident or from unusual drought or other unavoidable cause.

**232. Subordination to supply for domestic purposes of supply for other purposes.—**Notwithstanding any obligation to supply water imposed by an agreement under Section 229, the [Municipality] may at any time cease to supply water for other than domestic purposes, if it is of the opinion that such supply would interfere with the supply of water for domestic purposes, in such case the [Municipality] shall not be liable to any forfeiture, penalty or damages for so ceasing,—

- (a) unless the failure to supply such water arises from a cause other than one specified in Section 231; and
- (b) unless the [Municipality] has undertaken to supply water for other than domestic purposes by an agreement made under Section 229, making provision for forfeiture, penalty or damages upon failure to supply such water.

**233. Subordination of rights of supply to restrictive rules.—**Notwithstanding anything contained in Section 228 or in any agreement under Section 229, the supply of water to any building or land shall be, and shall be deemed to have been granted, subject to the provisions of any rule made under Section 235, and in particular to any provision as to the limit or stoppage of the supply and as to the prevention of waste and misuse.

**234. Provision as to meters and connection pipes.—**All meters, connection pipes and other works incidental to the supply of water to any building or land shall except as otherwise provided by rule, be supplied, repaired extended and altered as may be necessary, at the expense of the person requiring the supply, but shall be under the control of the [Municipality].

**235. Water-supply rules.—**(1) The following matters relating to supply of water from municipal or public water works shall be regulated and governed by rules, namely,—

- (a) any matter in respect of which this Act declares that provision shall be made by rule;
- (b) the size and nature of the mains and pipes to be laid and the water works to be constructed by a [Municipality] for the supply of water;
- (c) the construction, control and maintenance of municipal water-works and of pipes and fittings in connection therewith;
- (d) the size and nature of the stand-pipes or pumps to be erected by a [Municipality];
- (e) the mains or pipes in which fire-plugs are to be fixed and the places at which keys of the fire-plugs are to be deposited;

- (f) the periodical analysis by a qualified analyst of the water supply by a [Municipality];
- (g) the conservation and prevention of injury or contamination to sources and means of water supply and appliances for the distribution of water, whether within or without [the municipal area];
- (h) the manner in which connections with water works may be constructed or maintained and the agency which shall or may be employed for such construction or maintenance.
- (i) the regulation of all matters and things connected with the supply and use of water and the turning on and turning off and preventing waste of water;
- (j) the collection of water-tax and of charges relating to the supply of water and the prevention of evasion of the same; and
- (k) any other matter relating to the supply of water in respect of which this Act makes no provision or insufficient provision and further provision is, in the opinion of the State Government, necessary.

(2) Provided that no rule shall be made under sub-section (1) affecting a cantonment or part of a cantonment without the previous sanction of the Central Government.

**[235-A. Rules relating to the supply of water by a person or company.—** The following matters relating to the grant of a licence under clause (c) of Section 224 of the Act shall be regulated and governed by rules to be made by the State Government subject to the conditions prescribed in Section 300, —

- (1) the selection of a licensee;
- (2) the form of applications for a licence;
- (3) the form of licence;
- (4) the preparation and submission of returns and accounts by the licensee in a prescribed form;
- (5) duties of a licensee;
- (6) the securing of a regular and wholesome supply of water by the licensee to consumers;
- (7) the appointment of an officer of a specified rank and class to ensure that the provisions of the Act and the rules relating to water-works are being properly carried out; and
- (8) any other matter which is necessary for the proper working of the licence.]

***Power for removal of structures interfering with public works***

**236. Unauthorised construction of street over drain or water-work.—**(1) Where, on or after the 10th day of March, 1900, any street has been made or any building, wall or other structure has been erected or any tree has been planted without the permission in writing of the [Municipality] over a public drain or culvert or a water-work vested in the [Municipality], the [Municipality] may,—

- (a) by notice require the person who has made the street, erected the structure or planted the tree, or the owner or occupier of the land on which the street has been made, structure erected or tree planted, remove



or deal in any other way the [Municipality] thinks fit with the street, structure or tree; or

- (b) itself remove or deal in any other way it, thinks fit with the street, structure or tree.

(2) Any expense incurred by a [Municipality] by action taken under clause (b) of sub-section (1) shall be recoverable in the manner prescribed by Chapter VI from the person by whom the street was made, structure erected or tree planted.

### *Sanitation and prevention of disease*

**267. Private drains, cesspools, dust bins, latrines, etc.**—(1) A Municipality] may require by notice the owner or occupier of any land or building,—

- (a) to close, remove, alter repair, cleanse, disinfect or put in good order any latrine, urinal, water-closet, drain, cesspool, dust-bin or other receptacle for filth, sullage-water, rubbish or refuse pertaining to such land or building, or to remove or alter any door or trap-door of any such latrine, urinal or water-closet which opens on to a street or drain; or
- (b) to provide such latrines, urinals, water-closets, drains, cesspools, dust-bins or other receptacles for filth, sullage-water, rubbish or refuse as should in its opinion be provided for the building or land whether in addition or not to any existing ones; or
- (c) to cause any latrine, urinal or water-closet provided for the building or land to be shut-off by a sufficient roof and wall or fence from the view of persons passing by or dwelling in the neighbourhood.

(2) When requiring under sub-section (1) anything to be provided, altered or done, the [Municipality] may specify in the notice the description of the thing to be provided, the pattern so as to conform with which the thing is to be altered, and the manner in which the thing is to be done.

**268. Latrines for factories, schools and places of public resort.**— The [Municipality] may require by notice any person employing more than twenty workmen or labourers or owning, managing or having control of a market, school or theatre or other place of public resort to provide such latrines and urinals as it may deem fit, and to cause the same to be kept in proper order and to be daily cleansed :

Provided that nothing in this section shall apply to a factory regulated by the Indian Factories Act, 1911.

**269. Power to require removal of nuisance arising from tanks, etc.**—(1) The [Municipality] may, by notice, require the owner or occupier of any land or building cleanse, repair, cover, fill up or drain off a private well, tank, reservoir, pool, depression or excavation therein which may appear to the [Municipality] to be injurious to health or offensive to the neighbourhood.

(2) Provided that the owner or occupier may require the [Municipality] to acquire at its expense, or otherwise, provide, any land or right in land necessary for the purpose of effecting drainage ordered under sub-section (1).

**270. Inspection of drains, privies, etc.**—(1) Subject to the provisions of Section 278, the [Municipality] may inspect a drain, water-closet, latrine, urinal, cesspool or other receptacle for filth, and for that purpose may cause the ground to be opened where it thinks fit.

(2) The expense of such inspection and of causing the ground to be closed and made good as before shall be borne by the [Municipality], unless the drain, privy, water-closet, latrine, urinal, cesspool or other receptacle for filth is found to be in bad order or condition, or was constructed in contravention of the any provisions of, or made under, this or any other enactment, in which case such expenses shall be paid by the owner or occupier and shall be recoverable in the manner, provided by Chapter VI.

**271. Cleansing of filthy buildings or land.**—Should any building or land be in a filthy or unwholesome state, the [Municipality] may, by notice, require the owner or occupier thereof to cleanse, or otherwise, put in a proper state, the building or land, and thereafter to keep the same in a clean and proper state.

**272. Failure to remove offensive matter.**—Whenever on any building or land,—

- (a) any dirt, dung, bones, ashes, night-soil or filth or any noxious or offensive matter is kept for more than twenty-four hours, or otherwise than in some proper receptacle; or
- (b) any receptacle for such things is suffered to be in a filthy or noxious state or is not subjected to any proper method of cleaning and purifying;

the owner or occupier of the building or land shall be liable on conviction, to a fine which may extend to fifty rupees, and, in the case of a continuing breach, to a further fine which may extend to five rupees for every day after the date of the first conviction during which the offender has been proved to have persisted in the commission of the offence.

**273. Regulation of the disposal of rubbish, night-soil, etc.**—(1) The [Municipality] may,—

- (a) provide receptacles and places for the temporary deposit of offensive matter and rubbish;
- (b) appoint places for the disposal of night-soil, carcasses and other offensive matters and rubbish; and
- (c) by public notice issue directions as to the time, manner and conditions at, in and subject to which any offensive matter or rubbish referred to in clauses (a) and (b) may be removed along a street, deposited or otherwise disposed of.

(2) It shall be sufficient notice of the appointment of a place under clause (b) of sub-section (1) that a notice board indicating such appointment is displayed on or near the place appointed.

(3) Before appointing a place outside [the limits of the municipal area] under clause (b) of sub-section (1), the [Municipality] shall obtain the previous sanction of the District Magistrate.

**274. Penalty for improper disposal of rubbish, night-soil, etc.**—The occupier of any building or land from which any offensive matter, rubbish, night soil or carcass is thrown or deposited on any part of a public place or street, or into any public sewer or drain, or into any drain communicating with a public sewer or drain, otherwise than in a place appointed under clause (b) or in a receptacle provided under clause (a) of sub-section (1) of Section 273, and any person contravening any direction of a [Municipality] issued under clause (c) of the said sub-section shall be liable, upon conviction, to a fine not exceeding [two hundred and fifty] rupees.

**275. Disposal of dead bodies of animals.**—(1) Whenever an animal in the charge of a person dies, otherwise than by being slaughtered either for sale or consumption or for some religious purposes, the person-in-charge thereof shall, within twenty-four hours, either,—

- (a) convey the carcass to a place (if any) fixed by the [Municipality] under Section 273 for the disposal of the dead bodies of animals or to a place beyond [the limits of the municipal area] not being within one mile of those limits; or

- (b) give notice of the death to the [Municipality], whereupon the [Municipality] shall cause the carcass to be disposed of.

(2) Every person bound to act in accordance with sub-section (1) shall, if he fails so to act, be liable upon conviction to a fine which may extend to ten rupees.

(3) For the disposal of the dead body of an animal under clause (b) of sub-section (1), the [Municipality] may charge such fee as the [Municipality] has prescribed, and may recover the same, if not paid in advance, from the owner or keeper of the animal in the manner provided by Chapter VI.

**276. Penalty for discharging sewage on public street, etc.**— Whenever the water of a sink, sewer or cesspool or any other offensive matter is allowed to flow, drain or be put upon a public street or place, or into a sewer to drain not set apart for the purpose without the permission in writing of the [Municipality] or in contravention of any condition prescribed in such permission, the owner or occupier of the land or building from which such water or offensive matter so flows, drains or is put shall be liable, upon conviction, to a fine which may extend to [two hundred and fifty] rupees.

**277. Power to enter and disinfect buildings.**—Subject to the provisions of Section 287, the [Municipality] may enter and inspect a building, and may by notice direct all or any part thereof to be internally or externally lime washed, disinfect or otherwise cleansed for sanitary reasons :

Provided that nothing in this section shall apply to a factory regulated by the Indian Factories Act, 1911.

**278. Building unfit for human habitation.**—(1) Should a building, or a room in an building, be, in the opinion of the [Municipality], unfit for human habitation in consequence of the want of proper means of drainage or ventilation or otherwise, the [Municipality] may, by notice, prohibit the owner or occupier thereof from using the building or room for human habitation or suffering it to be so used either absolutely or unless within a time to be specified in the notice, he effects such alteration therein as is prescribed in the notice.

(2) Upon failure of a person to whom notice is issued under sub-section (1) to comply therewith, it shall be lawful for the [Municipality] to require by further notice the demolition of the building or room.

**279. Penalty for failure to give information of cholera, small-pox, etc.**— Whoever,—

- (a) being a medical practitioner and in the course of such practice becoming cognizant of the existence of cholera, plague, small-pox or other infectious disease that may be notified in this behalf by the [State Government] in any dwelling other than a public hospital in the [municipal area], or
- (b) in default of such medical practitioner, being the owner or occupier of such dwelling, and being cognizant of the existence of any such infectious disease therein, or
- (c) in default of such owner or occupier being the person-in-charge of, or in attendance on, a person suffering from any such infectious disease in such dwelling, and being cognizant of the existence of the disease therein,

fails to give [within twenty-four hours of becoming so-cognizant] or gives false information to such officer as the [Municipality] may appoint in this behalf respecting the existence of such disease, shall be liable upon conviction to a fine which may extend to fifty rupees :

Provided that a person not required to give information in the first instance, but only in default of some other person, shall not be punishable if it is shown that he had reasonable cause to suppose that the information had been, or would be, duly given.

**[279-A. Power to examine persons suspected to be suffering from infectious diseases.]**—When there is any reason to believe that a case of infectious disease notifiable under Section 279 has occurred in a building the Medical Officer of Health or other competent person deputed by him shall, subject to the provisions of Section 287, enter the said building and make an examination of the person or persons suspected to be suffering from the disease and may also obtain material for pathological examination, if necessary :

Provided that all females above the age of eight years shall be inspected by persons of their own sex only]

**280. Removal to hospital of patients.**—When a person suffering or certified by a duly qualified medical practitioner to be suffering from cholera, plague, small-pox or any other infectious disease that may be notified in this behalf by the [State Government] is,—

- (a) without proper lodging or accommodation, or
- (b) living in a sarai or other public hostel, or
- (c) living in a room or house which he neither owns nor is otherwise entitled to occupy, or
- (d) lodged in a room or set of apartments occupied by more than one family and any of the occupiers objects to his continuing to lodge therein,

the [Municipality] may, on the advice of a medical officer of a rank not inferior to that of an assistant surgeon, remove the patient to a hospital or place at which person suffering from such disease are received for medical treatment, and may do anything necessary for such removal.

**281. Penalty for acts done by persons suffering from certain disorders.**—Whoever, while suffering from an infectious, contagious, or loathsome disorder,—

- (a) makes or offers for sale an article of food or drink, for human consumption or a medicine or drug, or
- (b) wilfully touches any such article, medicine or drug when exposed for sale by others, or
- (c) takes any part in the business of washing or carrying soiled clothes,

shall be liable upon conviction to a fine which may extend to [fifty] rupees.

**282. Prohibition of cultivation, use of manure or irrigation injurious to health.**—(1) If [the Director of Medical and Health Services] or the Civil Surgeon or Health Officer certifies that the cultivation of any description of crops or the use of any kind of manure or the irrigation of land in any specified manner,—

- (a) in a place within the limits of a [municipal area] is injurious or facilitates practices are injurious to the health of persons dwelling in the neighbourhood, or

- (b) in a place within or beyond the limits of [municipal area] is likely to contaminate the water supply of such [municipal area] or otherwise render it unfit for drinking purposes,

the [Municipality] may by public notice prohibit the cultivation of such crop, the use of such manure or the use of the method or irrigation so reported to be injurious, or impose such conditions with respect thereto as may prevent injury or contamination.

(2) Provided that when, on any land in respect of which such notice is issued, the act prohibited has been practised in the ordinary course of husbandry for the five successive years next preceding the date of prohibition, compensation shall be paid from the municipal fund to all persons interested therein for damage caused to them by such prohibition.

**283. Power to require owners to clear away noxious vegetation.**—The [Municipality] may, by notice require the owner or occupier of any land to clear away and remove any vegetation or undergrowth which may be injurious to health or offensive to the neighbourhood.

**284. Power to require excavations to be filled up or drained.**— (1) In a [municipal area] for which bye-laws have been made under sub-head (g) of Heading I of Section 298, the [Municipality] may, by notice require the owner or occupier of any land upon which an excavation, cesspool, tank or pit has been made in contravention of such bye-laws, or in breach of the conditions under which permission to dig any such excavation, cesspool, tank or pit has been granted to fill up or drain the excavation, cesspool, tank or pit within a period to be specified in such notice.

(2) The [State Government] may by notification extend the provision of this section and bye-laws made for the purposes of this section to an area beyond the [municipal area] lying within a distance of a mile from the [boundary of the municipal area].

**285. Power in respect of burial and burning ground.**—(1) The [Municipality] may, by public notice, order a burial or burning ground which is certified by the Civil Surgeon or the Health Officer to be dangerous, or likely to be dangerous, to the health of person living in the neighbourhood, to be closed from a date to be specified in the notice, and shall, in such case, if no suitable place for burial place exist within a reasonable distance, provide a fitting place for the purpose.

(2) Private burial places in such burial grounds may be excepted from the notice, subject to such conditions as the [Municipality] may impose in this behalf :

Provided that the limits of such burial places are sufficiently defined and that they shall only be used for the burial or members of the family of the owners thereof.

(3) No burial or burning ground, whether public or private, shall be made or formed without the permission in writing of the [Municipality].

(4) No person shall, except with the permission of the [Municipality] in writing, bury or burn, or cause to be buried or burnt, a corpse in a place other than a recognised burial or burning ground.

(5) Should a person bury or burn, or cause or permit to be buried or burnt, a corpse, contrary to the provisions of this section, he shall be liable upon conviction to a fine which may extend to [five hundred] rupees.

**286. Bathing and washing places.**—The [Municipality] may set apart suitable places for the purpose of bathing, and may specify the times at which, and the sex of

the persons by whom such places may be used and may also set apart suitable places for washing animals or clothes or other things; and may by public notice prohibit bathing or the washing of animals or clothes or other things in a public place not so set apart, or at times or by persons other than those specified, and may in like manner prohibit an [\* \* \*] act by which water in public places or rivers may be rendered foul or unfit for use or which causes or is likely to cause in convenience or annoyance to persons lawfully using such places.