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NOTIFICATION

No.C.31018/2/2014-DCA (L), the 5th April, 2016. In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Rules passed by the Lai Autonomous District Council and approved by His Excellency the Governor of Mizoram on 30.3.2016 is hereby published for general information, namely :-

“THE LAI AUTONOMOUS DISTRICT COUNCIL (PUBLIC HEALTH AND SANITATION) RULES, 2014”.

R. Thanga,

Secretary to the Government of Mizoram,
District Council Affairs Department.

THE LAI AUTONOMOUS DISTRICT COUNCIL (PUBLIC HEALTH AND SANITATION) RULES, 2014

A BILL

to provide for a healthy and hygienic means of promoting health through prevention of human contact with hazard.

Whereas the importance of the isolation of waste as well as the treatment and proper disposal of waste is necessary and it is expedient to create an environment of a healthy community and the importance of the isolation of waste as well as the treatment and proper disposal is necessary.

Whereas sanitation generally refers to the provision of facilities and services for the safe disposal of human feces. Inadequate sanitation is known to have a significant impact on health both in household and across communities, maintenance of hygiene conditions through services such as garbage collection and systematic waste disposal is a must.

Whereas for any social economic development, adequate sanitation in conjunction with good hygiene are essential to good health for the community. The effects of sanitation has impacted the society of people throughout history and is a necessity for healthy life, vital for people's health, economic well-being and local environment and better sanitation produce on enhanced feeling of well – being.

And whereas clause (f) of Sub – Paragraph (1) of Paragraph 3 of the Sixth Schedule to the constitution of India empowers the Lai Autonomous District Council to make rules on public health and sanitation.

Be it enacted by the Lai Autonomous District Council in the Sixty fifth year of the Republic of India as follows :

**THE LAI AUTONOMOUS DISTRICT COUNCIL
(PUBLIC HEALTH AND SANITATION) RULES, 2014"**

1. **Short title, extent and commencement:** (1) These 'Rules' may be called the 'Lai Autonomous District Council (Public Health and Sanitation) Rules, 2014'.

(2) It shall extend to such towns and sub-towns within the area of the District Council as the Executive Committee may notify.

(3) It shall come into force on and from the date of its publication in the Official Gazette.
2. **Definitions:** In these Rules, unless the context otherwise requires:
 - (1) "Act" means The Pawi Autonomous District Council(Town Committee) Act, 1974.
 - (2) "building" means a house, out-house stable, latrine, urinal, shed, hut, wall (other than a boundary wall) or any other structure whether of masonry, bricks, wood, mud, metal or other material but does not include any portable shelter.
 - (3) "compound" means land whether enclosed or not, which is the appurtenance of a building or the common appurtenance of more than one buildings;
 - (4) "conservancy" means removal and disposal of sewage, offensive matter and rubbish;
 - (5) "dangerous disease" means;-
 - (a) smallpox, cholera, dysentery, tuberculosis, leprosy, enteric-fever, diphtheria, cerebra spinal meningitis, and syphilis; and

- (b) any other epidemic, endemic or infectious disease which the Executive Committee may, by notification, declare as dangerous disease for the purposes of these Rules;
- (6) "Department" means the Local Administration Department of the District Council;
- (7) "District Council" means the Lai Autonomous District Council.
- (8) "drain" includes a sewer, a house drain of any other description, a tunnel, a culvert, a ditch, a channel and any other device for carrying off silage and sub-soil water;
- (9) "dwelling house" means a building constructed, used or adapted to be used wholly or principally, for human habitation.
- (10) "Executive Committee" means the Executive Committee of the Lai Autonomous District Council and the terms 'Chief Executive Member' and Executive Member shall be construed accordingly;
- (11) "factory" means any premises including the precincts thereof in which a manufacturing process is being carried on;
- (12) "filth" includes night-soil, sewage and all offensive matters;
- (13) "food" includes every article used for food or drink by man 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 confectionery, flavouring and colouring matters, spices, condiments,
- (14) "Gazette" means the Mizoram Gazette;
- (15) "goods" includes animals;
- (16) "hotel" means a commercial establishment offering fooding or lodging or both on payment by a traveller or any other general public;
- (17) "house" means a building for human occupation whether as a residence or otherwise, having a separate principal entrance from the common way and includes any shop, warehouse or workshop.
- (18) "industry" means any company and activities involved in the process of producing goods for sale, especially in a factory or special area;
- (19) "inhabitant" used with reference to a local area means person ordinarily residing or carrying on business owning or occupying immovable property therein;

- (20) “latrine” means a place set apart for defecating or urinating or both and included a closet of the dry or water carriage type and urinal;
- (21) “land” includes benefits arising out of land and things attached to the earth.
- (22) ”market” includes any place where persons daily or periodically assemble for the sale of meat, fruit, vegetable or livestock, or any article or food or any other article for which there is a collection of shops or warehouses or stalls;
- (23) “notification” means a notification published by the Executive Committee of the Lai Autonomous District Council;
- (24) “nuisance” includes any act, omission, place or thing which causes
or likely to cause injury, danger, annoyance, or offence to the sense of sight, smell or hearing or disturbance to rest or sleep, or which is or may be dangerous to life or injurious to health or property.
- (25) “occupant” means –
(a) an owner occupying or otherwise using any land or building;
(b) any person who for the time being is occupying any land or building on payment of rent;
and includes a rent-free tenant and licensee in occupation of any land or building;
- (26) “offensive matter” includes animal carcass, kitchen refuse, stable refuse, dung, dirt and putrid;
- (27) “owner” means a person in charge of the thing in connection with which the word is used;
- (28) “premises” means any land or building or a part thereof and includes-
(a) the garden, ground and out-house, appertaining to a building or any part thereof;
and
(b) any structure fitted affixed to a building or any part thereof;
- (29) “privy” means a place for easing nature;
- (30) “public notice” means a notice issued by the Sanitation Officer or the Executive Committee under this Rules for carrying out the provisions thereof;
- (31) “restaurant” means any premises in which is carried on wholly or principally the business of supply of meals or refreshments to the public for consumption on the premises;

- (32) “rubbish” means dust, ashes, broken bricks, broken glass, mortar and refuse of any kind which is not offensive matter;
- (33) “Sanitary Inspector” means any person appointed as such on a substantial, temporary or officiating capacity to whom sanitation work is entrusted and includes Assistant Sanitary Inspector;
- (34) “Sanitation Officer” means any person appointed as such by name or as holding the office under the order of the Executive committee and shall include any other officer duly authorised to function as such by the Executive Committee;
- (35) “sewage” means night-soil and other contents of privies, urinals, cesspools or drains and includes trade effluents and discharge from factories or workshop of all kinds;
- (36) “shed” means a slight or temporary structure for shade or shelter;
- (37) “slaughter house” means a place used for slaughter of cattle, sheep, goats, nits or pigs for the purpose of selling the flesh thereof as meat;
- (38) “State Government” means the state government of Mizoram;
- (39) “sufficient reason” means a reason or reasons considered sufficient by the Sanitation Officer or the Executive Committee;
- (40) “Tea stall” means any premises in which the business of supplying tea, coffee, milk and the like with or without refreshments is carried on but not being a restaurant;
- (41) “Town Committee” means a committee constituted under Sub-Section (1) of section 3 of the Pawi Autonomous District Council Town Committee Act 1974 and includes an officer appointed to function as a Town Committee;
- (42) “trade effluent” means any liquid either with or without particles of matter in suspension therein, which is partly or wholly produced in the course of any trade or industry carried on or in relation to any trade premises;
- (43) “trade premises” means any premises used or intended to be used for carrying on any trade or industry;
- (44) “vehicle” includes a carriage, van, dray, truck, handcart, bicycle, tricycle-rickshaw, auto-rickshaw motor vehicle and every wheeled conveyance which is used or is capable of being used on a street or their part;
- (45) “Village Council” means a village council constituted under the Lai Autonomous District (Village Councils) Act, 2010.

(46) “water work” includes all lakes, tanks, streams, cistern, springs pumps, wells, reservoirs and holes used or intended for the purpose of supplying water;

(47) “workshop” means any premises (including the precincts thereof) other than a factory, wherein any industrial process is carried on.

3. **Sanitation Officer:** (1). There shall be a Sanitation Officer or Assistant Sanitation Officer for one or more specified towns who shall be appointed either in a substantive, temporary or ex-officio capacity:

Provided that for one or more specified towns, there can be both the Sanitation Officer and the Assistant Sanitation Officer.

(2) An Appeal against any order of the Sanitation Officer shall be made to the Executive Committee within 30 (thirty) days from the date of such order.

4. **Powers of Sanitation Officer:**(1) The Sanitation Officer shall have power to impose a fine for any offence against the provisions of this Rules or for violation of any public notice or order made by him or by any other competent authority under this Rules, upto a limit of one thousand rupees. Any action taken by him in this respect shall be recorded in writing.

Provided that a reasonable opportunity of being heard should be given to any person upon whom such fine is imposed under this sub-rule.

(2) If any person, against whom a fine is imposed by the Sanitation Officer under this Rules, fails to deposit the amount within the prescribed period of time without any cogent reason or any amount is due under this Rules from any person, the Sanitation Officer shall report the matter to the Executive Committee who shall take action against such defaulting person to realise the fine or dues in such manner provided for the recovery of such demands by any law for the time being in force.

(3) Nothing will bar the Executive Committee from referring the case referred to it under this Rules to a competent court for taking action.

(4) The Sanitation Officer shall also have power to evict forthwith any person on seeing him obstructing or wilfully hampering, by any means, the works of sanitation and to impose a fine upto a limit of one thousand rupees.

(5) When the Sanitation Officer is of the opinion that the fine he is competent to impose is not sufficient in the circumstance of the case, he shall without delay refer the case to the Executive Committee and the Executive Committee shall decide the case in accordance with these Rules.

5. **Powers of the Executive Committee:** (1) Ordinarily the Executive Committee shall not take up initial case of offence against the provisions of these Rules, but shall try the case referred to it by the Sanitation Officer.

- (2) The Executive Committee shall have the power to dispose the case referred to it in any manner, either on hearing of the accused/defaulting person or appellants and exercise their undisputed power to lessen or increase, within the limit given under the appropriate Rule aforesaid, the fines imposed on a person by the Sanitation Officer when such case is referred to it by way of appeal.

6. **Payment of fines:** All fines or dues payable according to the provision of these Rules shall be made in cash only and shall be credited in the appropriate head of account as may be specified/ decided by the Executive Committee from time to time.

7. **Public Waste and Private Conservancy:** (1) The Sanitation Officer shall provide for the removal of sewage, garbage, filth and offensive matter from all public latrines, urinals and drains and from all public roads, public streets and other property under these Rules.

- (2) The Sanitation Officer may provide for or select or decide in proper situations, public receptacles, depots and places for the temporary deposit or for disposal of garbage, offensive matter, sewage and the carcasses of dead animals accumulating in the specified town.
- (3) All things deposited in receptacles, depots or places provided or earmarked under sub-rule (2) shall be the property of the Department.

8. **Collection and removal of sewage, etc :** The Sanitation Officer may give public notice that the collection and removal of sewage, offensive matter and garbage from the lands and buildings in any portion of the specified town will be undertaken by the Department, and he shall then forthwith take measure for the due collection and removal of such matter from any lands and buildings situated in the said portion of the specified town.

9. **Powers of Sanitation Officer for collection and removal of garbages, etc:**

(1) The Sanitation Officer may, by public notice, direct that all garbage and offensive matter present and accruing in any premises or in any street or portion of the towns, shall be collected by the occupier of such premises and deposited in a box, tin, basket or other receptacle, of a kind approved by him, to be provided by such occupier and kept neat at the entrance to, or where open space is available within the premises, in such open space for easy collection and removal by the Department.

- (2) The Sanitation Officer may, by issue of a public notice, direct that all garbage and offensive matter accumulating in any premises or in any street or any portion of the town in respect of where no such notice was issued under sub rule(1) for the time being in force, shall be collected by the occupant of such premises and deposited collectively

in some portion of the street adjoining to such premises as may be specified in such notice or in some portion of such premises for collection and removal by the Department.

10. Garbage etc. not to be thrown on street:

No person : -

- (a) shall throw or place any garbage, offensive matter or sewage on any street or in any place other than provided or earmarked for the purposes under the provisions of these Rules;
- (b) who is the owner or occupier of any land or building, shall allow any sewage or offensive matter to flow, soak or be thrown there from, or keep or allow to be kept therein or thereupon anything so as to be a nuisance to any person, or negligently maintain any receptacle or place for the deposit of offensive matter or rubbish on his premises to be in such state so as to be offensive or injurious to health.

11. Public markets:

All markets which are acquired, constructed, repaired or maintained out of the fund sanctioned by the District Council shall be deemed to be public markets; and such markets shall be open to any persons irrespective of their caste or creed.

12. Powers of the Sanitation Officer in respect of public markets:

- (1) The Executive Committee may provide places for the use as public markets.
- (2) The Sanitation Officer may in any public market levy any one or more of the following fees at such rates and may undertake the collection of such fees under the management of such persons as may deem proper for any period not exceeding three years at a time and on such terms and subject to such conditions as it may deem fit –
 - (a) fees for the use of or, for the right to expose goods for sale in, such markets;
 - (b) fees for the use of shops, stalls, pens or stands in such markets;
 - (c) fees on vehicles or pack-animals carrying, or on persons bringing, goods for sale in such markets;
 - (d) fees on animals brought for sale into, or sold in, such markets; and
 - (e) licence fees for brokers, commission agents, weigh men and measures practicing their calling in such markets.

13. Control of the Sanitation Officer over public markets:

- (1) No person shall, without the permission of the Sanitation Officer sell or expose for sale any animal or article within any public market.

- (2) The Sanitation Officer may expel from any public market any person who or whose servant has been convicted or punished for disobeying any of the rules or regulations at the time in force in such market and may prevent such person from further carrying on by himself or his servants, or agents, any trade or business in such market, or occupying any shop, stall or other place therein and may determine any lease or tenure which such person may possess any such shop, stall or place.

14. The rate of annual license fees shall be as follows:

a. Butchers	- Rs. 1,000/-
b. Fish Suppliers	-Rs. 3,000/-
c. Vegetable Suppliers	-Rs. 2,000/-
d. Betel leave and nut suppliers	-Rs. 2,000/-
e. Animals Feeds	-Rs. 2,000/-
f. Barber	-Rs. 1,000/-
g. Cobbler	-Rs. 1,000/-
h. Beauty Parlour	-Rs. 1,500/-
i. Hawker	-Rs. 1,000/-
j. Fruit Store/Supplier	-Rs. 1,500/-

Provided that the Executive Committee may by public notification, increase the license fees specified above.

15. Permission for establishment of factory, industry, workshop or trade premises:

- (1) No person shall, without obtaining a licence from the Executive Committee and on payment of an annual licence fee as may be specified, in any place within the specified town, establish or materially alter, enlarge or extend any factory or industry or workshop or trade premises in which it is intended to engage steam, electricity, water or other mechanical power.
- (2) The owner or manager of a factory or industry or workshop or trade premises existing before commencement of these Rules, shall also obtain licence from the Executive Committee for continuance of such factory, industry, workshop or trade premises on payment of an annual licence fees specified in sub-rule (5).
- (3) The Executive Committee may refuse to grant such licence for the establishment or continuance of a factory, industry, workshop or trade premises if it is of the opinion that such establishment or continuance in the proposed or existing position would be objectionable on the ground of the nuisance or inconvenience it may cause to the neighbourhood, or for non-availability of proper drainage or other means of disposing of sewage and offensive matters.
- (4) While giving licence for opening or continuance of factory, industry, workshop or trade premises the Executive Committee may make such terms and conditions to be observed by the owner or manager.

- (5) The rate of annual licence fee shall be as follows :-
- | | | |
|------|----------------------|-------------|
| i. | Factory- | Rs. 3,000/- |
| ii. | Industry- | Rs. 3,000/- |
| iii. | Motor Workshop- | Rs. 3,000/- |
| iv. | Two wheeler Workshop | Rs. 3,000/- |
| v. | Furniture workshop- | Rs.2,000/- |
| vi. | Ice Cream factory- | Rs.2,000/- |
| vii. | Bakery- | Rs.2,000/- |

Provided that the Executive Committee may by public notification, increase the license fees specified above.

Provided further that levy of license fee shall not affect the levy of trade tax or professional tax under the provision of the Lai Autonomous District Council taxes regulation, (professions, trades callings and employment taxation) Regulations 1976 as amended from time to time.

- (6) If in the opinion of the Executive Committee, a factory, industry, workshop or trade premises is run or maintained in bad or unsanitary condition, the Sanitation Officer may, by notice, require the owner or manager thereof to close down, vacate or stop management of the same from such date or time as may be stipulated in the notice.

16. **Prohibition of storage of dangerous articles, etc:** No person shall store on or allow to be carried on in any premises or quarter any trade, manufacturing industry or operation which is dangerous to life, health or property or is likely to create nuisance or cause inconvenience to the public, either from its nature or by reason of the manner in which it is carried on or the condition under which the same may be carried on.

Provided that nothing in this Rules shall be in derogation to the provisions of the Indian Explosive Act, 1884 or Petroleum Act,1934, or the activity undertaken thereby.

17. **Powers to inspect:** For the purposes of these Rules, the Sanitation Officer or the Sanitary Inspectors on duty at any time, by day or by night and without prior notice, shall have a right to enter any premises belonging to a person, firm, company or State Government to do necessary inspection in case of any doubt or suspicion.

18. **Prevention of dangerous disease:**(1) No person who is suffering from a dangerous communicable disease, shall enter or cause or permit himself to be carried in a public conveyance.

- (2) No owner, driver or person, in charge of a public conveyance shall knowingly carry or permit to be carried in such conveyance any person suffering from dangerous communicable disease or any dead body or person or animal who or which has died of such disease without taking proper precautions against the spreading of such disease.

19. **Special measures on out-break of dangerous diseases:** (1) In the event of the specified town or any part thereof being identified or threatened by an out-break of any dangerous disease amongst the inhabitants thereof or from any outsiders, or any epidemic diseases among any animals therein or from outside, the Sanitation Officer with the previous approval of the Executive Committee, may-

- (a) take such special measures as deemed fit, and
- (b) by public notice, give such direction to be observed by any class or section of the public or by any outsiders temporarily residing or visiting the place, as he thinks necessary to prevent out-break or spread of the diseases:

Provided that where in the opinion of the Sanitation Officer immediate measures are necessary, he may take action without such prior approval and if he does so, he shall forthwith report such action to the Executive Committee.

- (2) Any person committing breach of any direction given under the foregoing sub-rule shall be deemed to have committed an offence against Section 188 of the Indian Penal Code.

20. **Burning or burial ground:** (1) The Sanitation Officer may, by notice in writing, require the owner or person in-charge of any burning or burial ground within any portion of the specified town to supply such information as may be specified in the notice concerning the condition, management, position or any other information regarding such ground.

- (2) Any place which has been used as a burning or burial ground before the commencement of these Rules shall not be used further as such without the permission in writing of the Sanitation Officer.
- (3) Such permission may be granted subject to any condition which the Sanitation Officer may think fit to impose for the purpose of preventing any inconvenience to, or danger to the health of, any person residing in the neighbourhood.
- (4) No person shall burn any dead body of a person except in the place set apart with the permission of the Sanitation Officer under this Rules, or such place being in use before the commencement of these Rules.

21. **Closing of burning or burial ground:** (1) Where the Sanitation Officer after making or causing to be made a local enquiry by a Medical Officer of the State Government, is of the opinion that any burning or burial ground has become offensive to, or dangerous to the health of any person residing in the neighbourhood, he may, with the previous sanction of the Executive Committee, by notice in writing, order that such ground shall be closed from such date as may be specified in the notice.

22. **Direction regarding maintenance, etc. of burning or burial ground:** The Sanitation Officer may, by public notice, issue a directive or order concerning the condition, management or maintenance of all or any of the burning or burial ground within the specified town.

23. **Disposal of dead animals:** (1) Whenever and wherever within the specified town, any animal in possession of any person dies, the person concerned thereof, shall within twenty four hours either-

- (a) dispose of the carcass or
 - (b) carry the carcass to a place provided or appointed for disposal of the carcass required to be disposed of or
 - (c) give notice about the dead animal to the Sanitation Officer or the Sanitary Inspector or other worker of the department on duty whereupon he shall cause the carcass to be disposed of;
- (5) In respect of the disposal of the carcass of a dead animal under clause (c) of sub-rule(1), the Sanitation Officer may recover from the person owning of the animal such fee as he may, by public notice, specify.

24. **The District Council to provide drainage, sewage, etc:**

The District Council shall provide and maintain a system of drainage or sewerage as well as a safe and sufficient outlet in or outside the Lai Autonomous District Council area.

25. **Public drains, trunk-sewers etc. to vest in the District Council:**

- (1) All public drains, and all drains in, alongside, or under any public street, whether made out of District Council's Fund or otherwise, and all trunk-sewers, sewage treatment plants, drainage and pumping stations and all works, materials and things appurtenant to the drainage system, which are situated within the District Council area, shall be vested with the Executive Committee.
- (2) For the purpose of enlarging, deepening or otherwise repairing or maintaining any drain as aforesaid, and the sub-soil appertaining to the drain as may be necessary shall be deemed to be vested in the Executive Committee.

26. **Control over drainage:**

- (1) All drains, sewers, privies, water closets, toilets, house-gullies, gutters and cesspools within the District Council area, whether private or public, shall be under the survey and control of the Sanitation Officer.
- (2) All covered drains, sewers and cesspools, whether public or private, shall be provided with proper taps, coverings or other means of ventilation; and the Sanitation Officer may, by a notice in writing call upon the owner of any such covered drains, sewers and cesspools to make necessary provision accordingly.

27. **Cleaning of drains:**

- (1) The Sanitation Officer shall provide for cleaning, flushing and emptying the drains from time to time.
- (2) No person shall put any articles, materials or sands or spoils out of any earth-work in the public drains so as to prevent or hamper flow or carrying off rain water or sub-soil water.
- (3) No person shall construct private drains so as to cause nuisance to the public, or as the case may be, inconvenient or offensive to any person residing in the vicinity.

28. **Power to order demolition of drain constructed without consent:**

No person shall, without the prior written consent of the Executive Committee obtained, make or cause to be made, or alter or cause to be altered, any drain or branch drain leading into any of the sewers or drains or into any water-course, street or land vested with the District Council, and the Executive Committee may cause any drain or branch drain, so made or altered, to be demolished, altered, remade or otherwise dealt with at the expenses of the persons making or altering such drain.

29. **Public latrines and urinals:** The Executive Committee may provide and maintain in proper and convenient places, at sufficient places, a sufficient number of public latrines and shall cause the same to be kept clean and in proper order.

30. **Duties of owner of building or land to provide drain, privy, latrine etc.** (1) The Sanitation Officer may, by notice, require the owner of any building or land to provide, move or remove any drain, privy, latrine, urinal, absorption pit, disposal works, cesspool or other receptacles as aforesaid which should, in his opinion, be provided for the building or for the land, in such manner and of such pattern as the Sanitation Officer may direct.

- (2) The Sanitation Officer may, by notice, require the owner or occupier of any building or land to have privy, latrine, urinal set apart or made for the purpose, to be shut out by a sufficient roof and wall or fence from the views of persons passing by or dwelling in the neighbourhood or to make such measure as to prevent bad odour from coming out, or to remove or alter any door or trap-door or other opening of such privy, latrine, or urinal opening on to any street or drain.
- (3) The Sanitation Officer may, by notice, require the owner or occupier of any building or land to repair, alter or put in good order any private drain, privy, latrine, urinal, animal shed, absorption pit, disposal work, or cesspool belonging thereto, or direct that such private drain shall, from such date as may be fixed in this regard be used for offensive matter and sewage only, and for rain water or unpolluted sub-soil water direct the owner or occupier of the premises to make an entirely distinct private drain.

- (4) The Sanitation Officer may, by notice, require any person, who may construct, rebuild or open any drain, private latrine, urinal, animal shed, absorption pit, disposal work, or cesspool or receptacle for filth or refuse without permission or contrary to his direction or of the provisions of these Rules, or the notifications, notice or orders made there under, to demolish such drain, latrine, urinal, animal shed, absorption pit, disposal work, or cesspool or receptacle or to make such alteration therein as he deems fit.
- (5) The Sanitation Officer may, by notice, require any owner or occupier on whose land any drain, privy, latrine, urinal, absorption pit, animal shed, disposal work, or cesspool or other receptacle for filth or refuse for the time being exist within a hundred feet from any spring, well, tank, reservoir or other source from which water is derived or may be derived for use by the public, to remove or close the same derived for use by the public, to remove or close the same within a month from the date of receipt of such notice.
- (6) On failure of such person to remove or close such drain, latrine, urinal, absorption pit, animal shed, disposal work, or cesspool or other receptacle for filth or refuse within the stipulated time, the Sanitation Officer may order for demolition of the same, or impose a fine on the person not exceeding one hundred rupees per day after the service of the order on him under sub-rule (5).
- (7). (1) No person shall-
 - (a) In any public street or public place-
 - (i) Ease himself; or
 - (ii) Loiter, or beg importunately, for alms;
 - (iii) Expose or exhibit, with the object of exciting charity, any deformity or disease or wound; or
 - (iv) Without proper authority, affix upon any building, monument, post, wall, fence, tree or other thing, any bill, notice or other document;
 - (v) Without proper authority, deface or write upon or otherwise mark any building, monument, post, wall, fence, tree or other thing, or
 - (vi) Without proper authority, remove, destroy, deface or otherwise obliterate any notice or other documents put up or exhibited under these Rules, or the notifications, notice or orders made there under;
 - (vii) Without proper authority, remove, destroy, deface or otherwise, interfere with the pavement, gutter, flags or other materials of any lamp bracket, direction post, hydrant or water pipe partly or wholly maintained by the State government or the District Council in any street or place, or extinguish a public light; or
 - (b) Make any grave or burn or bury any corpse at any place not set apart for such purpose; or
 - (c) Let loose any animal or negligently allow any animal so as to cause injury, danger, alarm or annoyance to any person; or
 - (d) Use or permit to be used as a latrine any place not intended for that purpose.

- (2) every person shall take all reasonable means to prevent every child under the age of twelve years being in his charge from easing himself in any public street or public place.
- (3) the owner or keepers of any animal shall not allow his animal to stray in a public street or a public place without a keeper.
- (4) any animal found straying as aforesaid may be liable to seizure by an officer or employee of the Department or by any Police Officer not below the rank of Assistant Sub-Inspector and handed over to the Sanitation Officer and the owner of the animal shall deliver his or her animals within ten days on payment of a fine which may extend to one thousand rupees depending on the kind, age and size of the animal.

31. **Precautions against fire:**(1) The Sanitation Officer may, by public notice, prohibit in any case where such prohibition appears to him to be necessary, for the prevention of danger of life or property, the stocking or collection of wood, dry grass, straw or other inflammable materials or the placing of mats, bamboos, timber, thatched huts or the lighting of fires in any place which may be specified in the notice.

- (2) No person shall get a naked light on or near any building in any street or other places in such manner as to cause danger of fire:

Provided that nothing in this rule shall be deemed to prohibit the use of lights for the purposes of illumination on the occasion of a festival or public entertainment.

- (3) No person shall discharge any fire-arm or let off fireworks or fire-balloons or detonators so as to cause danger of fire break out, or to cause danger to passers-by or dwellers or workers in the neighbourhood or risk of destruction of property.

32. **Cleanliness in hotel, restaurant and tea stall:**(1) No person shall live in a stall using the same as a dwelling place, except for sleeping of a stall for a night for the purpose of safe watching the stall from thieves.

- (2) Hotels, restaurants and tea stalls should be kept clean and in proper order in such a way that all kinds of foods, breads and drinks are kept hygienic.
- (3) The Sanitation Officer may issue a public notice prescribing a kind or kinds of almirahs, boxes or containers for use in hotel, restaurant and tea stall for keeping foods, breads and drinks, in hygienic conditions.
- (4) No hotel, restaurant or tea stall shall be opened at any place or quarter within the specified town without a license from the Executive Committee on payment of an annual fee as specified below –

a.	Hotel-cum restaurant	- Rs. 2,000/-
b.	Hotel	- Rs. 2,000/-
c.	Restaurant	- Rs. 1,500/-
d.	Tea stall	- Rs. 1,000/-
e.	Snack Bar	- Rs. 1,000/-
f.	Motel	- Rs. 2,000/-

Provided that the Executive Committee may by public notification, increase the license fees specified above.

- (5) The owners, occupiers or managers of the existing hotels, restaurants or tea stalls shall also obtain licence from the Executive Committee for continuance of the same on payment of an annual fee as specified in sub-rule(4) on expiry of such licence.
- (6) The Executive Committee may refuse to grant such licence for opening or continuance of hotel, restaurant or tea stall if it is of the opinion that such opening or continuance in the proposed or existing position would be objectionable by reason of the nuisance or inconvenience it may cause to the public or the inhabitants of the neighbourhood, or for non-availability of proper latrine, urinal, drainage or other means of disposing of sewage and offensive matters.
- (7) While granting licence for opening or continuance of hotel, restaurant or tea stall, the Executive Committee may make such terms or conditions to be observed by the owner, occupant or manager.
- (8) If in the opinion of the Sanitation Officer a hotel, restaurant, or tea stall is maintained or run in bad or unhygienic condition, the Sanitation Officer may, by notice, require the owner, occupier or manager thereof to close down, vacate or stop the management of the same from such date or time as may be stipulated in the notice.
- (9) In the event of any person failing to comply with the order served to him to discontinue, close down, vacate or stop management of a hotel, restaurant or tea stall, the Sanitation Officer may, by order, impose a fine on the person not exceeding one hundred rupees per day from the date immediately following the date of service of such order.

33. **Entry and Inspection:** The Sanitation Officer or the Sanitary Inspector on duty may at all reasonable hours, enter into any hotel, restaurant, or tea stall for the purpose of inspecting, examining or ascertaining whether there is or has been any contravention of the provisions of these Rules, notifications or notices issued there under.

34. **General Penalty:** Whoever, in any case, in which a penalty is not expressly provided by these Rules, fails to comply with any notice, order, requisition made under any provision of these Rules, or otherwise contravenes any of the provision thereof, shall be punishable with a fine upto

one thousand rupees and imprisonment which may extend to two months, or with both, and in the case of continuing failure or contravention, with an addition fine which may extend to one hundred rupees for every day during which he has persisted in the failure or contravention.

35. **Provision of slaughter-houses:**

- (1) The Executive Committee shall provide a sufficient number of places for use as slaughter-houses and may charge rents and fees for their use at such rates as it may deem fit.
- (2) The Executive Committee may place the collection of such rents and fees under the management of such persons as it may deem it proper.
- (3) Slaughter-houses may be situated within or with the sanction of the Executive Committee, outside the town area.

36. **Slaughter of animals for sale as food:**

No person shall slaughter within the specified town area, except in a public or licensed slaughter-house, any cattle, horse, goat or pig for sale as food or skin or cut up any carcass without or otherwise than in conformity with a license or permission from the Executive Committee, dry or permit to be dried any skin in such a manner as to cause a nuisance:

Provided that nothing in this rule shall be deemed to prohibit the slaughter of animal in any place as a part of religious festival or ceremony.

37. **Encroachment on street:** (i) Without obtaining written permission from the Executive Committee, no person shall erect, set up, add to or place against or in front of any premises any structure or fixture which will-

- (a) overhang or project into, or in any way encroach upon, and obstruct in any street so as in any way to interfere with the use or proper working of drain or channel or to impede the works of flushing, cleansing or emptying of such drain or channel.
 - (b) project into, or encroach upon any drain or open channel in any street so as in any way to interfere with the use or proper working of drain or channel or to impede the works of flushing , cleansing or emptying of such drain or channel.
- (2) No person shall place any materials or goods including fowls, chicken, eggs, vegetables, cash crops or any other similar kinds, or park a vehicle, in a street so as to obstruct in any way the safe and convenient passage of the public or other vehicles along the street.
 - (3) The Executive Committee shall provide or appoint suitable place or places for parking vehicles, and any vehicles parking in a place other than the place provided for earmarked under this rule shall be liable to seizure;

Provided that until such time when the Executive Committee provides or earmark a suitable place for the said purpose, the Sanitation Officer may, by notice, require such owners or drivers of vehicles to park or place in such way or at such place to be specified in the notice.

- (4) The Sanitation Officer may, by notice, require the encroacher or owner or occupier of any premises, materials, goods or vehicles as aforesaid to remove, or to make such other action as he may direct, in relation to any structure or fixture which has been erected, set up, added to, or placed against goods or in front of the said premises, or in relation to any materials or vehicles put or placed or parked in any street in contravention of these Rules.

38. **Miscellaneous:** Notwithstanding anything contained in these Rules, all actions taken, order made or directions issued in regards to or in relation with the provisions of these Rules shall, in so far as they are not inconsistent with the provisions of these Rules, be deemed to have been taken, made or given under the corresponding provisions of these Rules and subsequent actions, if any with regard to such action, order made or direction issued shall be done in accordance with the provisions of these Rules.

39. **Powers to remove difficulty:** If any difficulty arises in giving effect to the provisions of these rules in consequences of the transition to the said provisions from the corresponding provisions of the Regulation in force immediately before the commencement of these Rules or otherwise, the Executive Committee may after any previous publication by order published in the Mizoram Gazette, make such provisions not inconsistent with purposes of these Rules, as it appears to them to be necessary or expedient for removing the difficulty.

STATEMENT OF OBJECT AND REASONS

Sanitation refers to the safe removal of human waste. This entails the hygienic disposal and treatment of human waste to avoid affecting the health of the community. It is deemed necessary to provide for systematic condition and renewal of sewage, rubbish, etc by enacting a set of rules so as to improve and prevent sanitary condition.

Hence, the Bill.

(LALLURA CHINZAH)
Executive Member
i/c Local Administrative Departemnt. etc
Lai Autonomous District Council
Lawngtlai

CERTIFICATE OF AUTHENTICATION

Certified that the Bill was passed by the Lai Autonomous District Council in its Monsoon Session on Thirty first July, Two Thousand and Fourteen at the Lai Autonomous District Council Session Hall, Lawngtlai.

And in Authentication, thereof, I put my signature on this day of the Second March, Two Thousand and Sixteen Anno Domini.

V. Zirsanga,
Chairman,
Lai Autonomous District Council,
Lawngtlai.