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Bye laws

BYE-LAWS ADOPTED AND FRAMED BY THE SHILLONG MUNICIPALITY UNDER SECTION 302 OF THE ASSAM MUNICIPAL ACT, 1956 (ASSAM ACT XV OF 1957).

Approved by Government in their Letter No. LML. 226/58/75, dated 31st May 1961.

DEFINITION.

1. In these bye-laws,—

“Cattle” means cattle as defined in Section 3 of the Cattle Tresspass Act, 1871 (1 of 1871).

“Rickshaw” means a two-wheeled carriage or a tricycle drawn or propelled by a person.

“Driver” includes a puller or Rickshaw.

“License” means a license granted under these bye-laws and includes both owner's and a driver's licenses.

“Licensing Officer” is a person appointed in this behalf by or under the authority of State Government/Municipality for the purpose of these bye-laws.

PENALTIES

2. The penalty for the infringement of any of these bye-laws shall be—

(a) a penalty not exceeding the sum stated at the foot of the bye-law,

(b) in the case of a second or subsequent conviction for a similar offence, a penalty not exceeding the sum (if any) stated in that behalf at the foot of the bye-law, and

(c) in the case of a continuing offence, a further penalty, not exceeding the sum (if any) stated at the foot of the bye-law as the daily penalty, which daily penalty, may be imposed for each day after written notice of the offence from the Municipal Board.

REGULATION OF TRAFFIC ON ROADS

3. **Youthful drivers.**—No owner of any carriage or cart shall allow it to be driven on any road by a driver under fourteen years of age.

Penalty—Rs. 10.

4. **Driving more than one carriage or cart.**—No driver shall drive or have in his charge on any road more than one carriage or cart except in the case of two carts, hinder one of which is securely fastened to the preceding cart.

Penalty—Rs. 10.

5. **Standing vehicles, etc.**—No person shall keep or leave any cattle or vehicle standing on any road, for any time longer than may reasonably

be required for loading or unloading or for taking up or setting down passengers.

Penalty—Rs. 10; on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

6. No person shall leave any carriage or cart or cattle on any roads without a person in-charge thereof.

Penalty—Rs 10 on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

7. **Rule of the Road.**—All persons driving or riding a vehicle or an animal or carrying a palanquin on any road shall when passing another vehicle or animal coming from the opposite direction, keep to the left and, when overtaking another vehicle or animal keep to the right.

Penalty—Rs. 10.

8. **Lights.**—No person shall drive any of the undermentioned vehicles or animals, or convey any palanquin, on any road, between half-an-hour after sunset and half-an-hour before sunrise, unless lights are provided as follows:—

(a) every carriage must carry two conspicuous lights, one on each side,

(b) every cart must carry one conspicuous light.

(c) every elephant camel or palanquin must be accompanied by one conspicuous light.

(d) every cycle must carry one conspicuous light in front.

Penalty—Rs. 50.

9. **Signals on cycles.**—No person shall drive or ride any bicycle or tricycle on any road, unless it has attached to it a bell, horn or other suitable signal in good order.

Penalty—Rs. 50.

10. **Maximum load for carts.**—No cart shall, without the general or special permission of the Board, carry on any road a load in excess of (1) 8 maunds in the case of a cart drawn by a single animal and (2) 16 maunds in the case of a cart drawn by two animals.

Penalty—Rs. 50.

11. **Vehicle laden with bamboos, planks, etc.**—No person shall drive any vehicle laden with bamboos planks, pipes, iron rods or other materials of a similar character exceeding twelve feet in length and projecting beyond such vehicle on any road, unless it be attended from behind by another person and be loaded in such a way that no portion of the said materials touches the ground. And no such vehicle shall be driven after dark and before dawn.

Penalty—Rs. 10.

12. **Cart laden with bricks stone, etc.**—No person shall drive upon a road any cart laden with bricks, stones or other materials of similar character, unless such materials be so secured that they cannot fall on the road.

Penalty—Rs. 10.

13. **Animal laden with bamboos or timber.**—No person shall convey on any road bamboos or timber placed on the back of any animal in such a way that any portion of such bamboos or timber touches the ground.

Penalty—Rs. 10.

14. **Taking elephants along road.**—No person shall, without the general or special permission of the Board take any elephant along any road

Penalty—Rs. 50.

15. **Taking an elephant over a bridge.**—No person shall allow any elephant in his charge to go over any bridge on any road, unless the bridge is constructed of arched masonry or is constructed and designed to carry either a 10-ton roller or a load of 4 tons on four wheels.

Penalty—Rs. 10.

16. **Loaded pack-animals**—No person shall drive upon a road, at the same time more than two loaded pack-animals.

Penalty—Rs. 10.

17. **Foals.**—No person riding or driving a mare on any road shall allow a foal to accompany the mare unless it is secured.

Penalty—Rs. 10.

18. **Driving a bullock cart in the centre of the road.**—No person shall drive a bullock cart on the centre of any road on which cart tracks are provided.

Penalty—Rs. 10.

19. **Sitting or sleeping.**—No person shall sit or sleep on any roads as to obstruct traffic.

Penalty—Rs. 10.

REGULATION OF TRAFFIC ON FOOT-PATHS

20. **Driving or riding on foot-path.**—No person shall wilfully drive or ride any cart, carriage, bicycle, horse, or cattle on any foot path set apart for the use of passengers.

Penalty—Rs. 10.

PREVENTION OF OBSTRUCTIONS ENCROACHMENTS AND NUISANCE ON OR NEAR ROADS

21. **Abandoning or letting loose cattle.**—No person shall abandon or let loose or negligently allow to get loose, any cattle, on or to any road.

Penalty—Rs. 10.

22. **Children playing or wandering.**—No parent or guardian shall allow his child or ward below the age of seven years to play or wander about on any road so as to obstruct traffic.

Penalty—Rs. 10.

23. **Cowshed, stable privy, etc.**—No person shall construct or maintain a cowshed, stable, privy or the like improperly fenced or open to any public road and public view.

Penalty—Rs. 10.

24. **Sticking of bills, placard, notices etc.**—Without the permission of the Board previously obtained, no person shall stick bills, placards or notices or place or hang or cause to be placed or hung any cloth or other substances whatsoever on any building, railing, tree, post or the like erected or growing on or within fifteen feet of any road and not being private property.

Penalty—Rs. 10.

25. **Depositing articles.**—No person shall without the general or special permission of the Board, deposit any articles or things any road except for a temporary purpose or use any road as a place for keeping any carriage, cart or cattle, or for washing any article, or for any other private purpose.

Penalty—Rs. 10.

26. **Exposing articles for sale**—No person shall without the general or special permission of the Board, cause any obstruction on or near any road by exposing any article for sale on such road or on any of its slope, drains or sidelands, to a limit of fifteen feet from the toe of the road, or on any bridge or platform over the public drain adjoining such road. The Board seize may and remove such articles at the cost of the owner if not removed after receipt of notice from the Board.

Penalty—Rs. 10 ; on a second conviction—Rs. 50 ; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

27. **Planting trees**—No person shall plant a tree on any road for public ground without the general or special permission of the Board.

Penalty—Rs. 5.

28. **Removing turf or cutting grass**—No person shall without the general or special permission of the Board, remove turf or cut grass from any road or the slopes thereof.

Penalty—Rs. 10.

29. **Discharge of water**—No person shall affix or cause to be affixed to any building, owned or occupied by him, any gutter, spout or other thing intended for the conveyance and discharge of water, or shall leave in any such building any opening for the discharge of water, in such a way that the water discharged therefrom is thrown or falls upon a road or into any drain in or near a road, except through a downpipe or other suitable contrivance reaching to the level of the road or drain.

Penalty—Rs. 10.

29. (a) **Provision of roof gutters, down pipes or masonry platform**—Every owner of any building (new or old, shall when required by the Board by written notice, provide and maintain a sufficient number as specified by the Board of suitable roof gutters and down pipes or masonry platforms properly, fixed for carrying water from the roof of the building into such drain or drains as shall be specified in the said notice.

Explanation—New buildidg includes alteration or extention or existing buildings in this bye-law.

Penalty—Rs 25. Second conviction—Rs. 50.

30. **Breaking in or gallop horses**—No person shall break in or gallop horses on any road not set apart for that purpose.

Penalty—Rs 10; on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

31. **Flying kites or plying games**—No person shall fly a kite or play any games in the road.

Penalty—Rs 10.

Throwing Stone or missiles—No person shall throw or discharge any stones or missile on or near any road.

Penalty—Rs. 10.

33. **Driving across a drain**—No person shall drive any vehicle across a public drain in or near any road so as to cause damage to such drain.

Penalty—Rs.10.

34. **Barbed wire**—No owner or occupier of land butting on any road shall fence such land with barbed wire.

Penalty—Rs. 10; on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the shall—

35. **Dustbins**—No person Board—

(a) place a burning material in any Municipal dustbin on or near a road, or

(b) burn in any such dustbin any paper; leaves, grass, wood or other meterial, or

(c) kindle a fire on any roadside or public ground.

Penalty—Rs. 10.

36. **Damage, deface chopping, cutting boundary pillars or signboards, etc.**—No person shall—

(a) damage, deface, a board bearing the name of street or any kind of Municipal signboard of any municipal boundary pillars, or

(b) wash any article, utensil, or

(c) cut of choplogs of wood on road or roadside, or

(d) use it for any private purpose,

Penalty—Rs. 10; on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

37. **Conveying sewage or offensive matter**—No person shall convey sewage or offensive matter by any road otherwise than—

(a) in a closely-covered receptacle of such description and pattern as are prescribed from time to time by the Municipal Board at a meeting, and

(b) between such hours are so prescribed.

Penalty—Rs. 10.

38. **Privies and urinals**—No person shall build or cause to be built, or shall keep, after prohibition by the Municipal Board any tatti privy orinal within ten feet of any road, or any building. Penalty—Rs.10 ; daily penalty—Rs. 2.

39. **Killing cattle or poultry or cleaning carcasses**—No person shall on or within sight or any road, kill or clean the carcasses of any cattle or poultry.

Penalty—Rs. 10.

40. **Easing oneself**— (a) No person shall commit a nuisance by easing himself on or within sight of any road.

(b) No person shall ease himself at the side of or into any river, stream, channel or well which is used by the public.

(c) When places for the performances of call of nature have been provided by the Board, no person shall satisfy a call of nature at any other place outside such places.

Penalty—Rs. 10. Second conviction Rs. 50. Continuing offence—Rs. 20 per days after written notice of offence from the Board.

41. **Rules of Road**—No person shall take or drive any vehicle on both ways of the road which is declared by the Board as "ONE WAY ROAD".

Penalty—Rs. 25. Second conviction Rs. 50. For continuing offences Rs. 20 daily after written of offence from the Board.

Closed Road—No person shall take or drive any vehicle over a road or part of a road which is closed under Section 152 of the Assam Municipal Act, or displace any barrier or fence erected under that section.

Penalty—Rs. 10.

43. **For regulating the felling of trees.**—(a) (1) No person shall, in any area except a reserved forest, water supply catchment area or site occupied by Government cut down a tree without the permission of the Board.

Explanation.—(A) the word "tree" in this bye-law does not include fruit or flowering trees, shrubs or bamboos.

(b) The expression "to cut down a tree" does not include cutting of dead or wind-blown or other trees which are in a dangerous condition.

(2) A permission granted by the Board for the construction of a building shall be deemed to include the permission necessary under paragraph(1) for the cutting of any tree which stands on the site to be covered by such building.

(3) The permission of the Board shall be deemed to have been given to the cutting of any tree for the purpose of cremation.

Penalty—A fine not exceeding Rs. 25 for each tree.

LETTING-OFF OF FIRE-ARMS, FIRE-WORKS FIRE-BALLOONS OR BOMBS.

44. **Letting of Fire-arms, etc.**—No person shall let-off any fire-arms fire-work, fire-balloons or bombs on or within one hundred yards of any road, except—

(i) with the general or special permission of the Board, and on payment of such fees as are prescribed by the Board.
Penalty—Rs. 10.

REGULATION OF THE USE OF, AND PREVENTION OF NUISANCE IN REGARD TO PUBLIC WATER SUPPLY, BATH INLAND WASHING PLACES, STREAMS, CHANNELS, TANKS AND WELLS.

45. **Setting up obstruction.**—No person shall without the general or special permission of the Board, set up any obstruction in any nala or water-course.

Explanation.—The spreading of fishing nets and the placing of fishing traps in any such nala or water-course are included in the word "obstruction" as used in this bye-law.

Penalty—Rs. 10, on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

46. **Tampering with stand-pipes, etc.**—(1) No person shall tamper with or take off a cock from any public or private stand-pipe or tank or fasten the same in any manner in order to obtain a continuous flow.

(2) No person shall wilfully cause the water from a tap to run waste and every person after using the tap shall turn off the same.

(3) No person shall without express permission of the Board in writing, use water derived from the taps for any large building operation or for the purpose of any manufactory.

(4) No person afflicted with leprosy or suffering from any contagious or infectious disease shall touch or draw water from any stand pipe.

(5) No sweeper or scavenger, while in the discharge of his duty, shall touch any stand-pipe or draw water from any such pipe or other place used for the supply of drinking water,

Penalty—Rs 10.

40 (b) **Easing oneself.**—No person shall ease himself at the side of or into any river, stream, channel, tank or well which is used by the public.

46. **Throwing offensive matter into tank, etc.**—No person shall throw, deposit or discharge any rubbish, sewage or offensive matter into any river, khal, tank, well or water-course which is used by the public.

Penalty—Rs. 10; on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

47 **Cleanliness of banks, and access for conservancy.**—Every owner or occupier of any part of the bank of any nala or water-course which is source of public water-supply shall—

(a) keep such bank free from filth, dense vegetation and other obstruction, and shall make provision for preventing any foul water from sinks, bath-rooms, etc. draining into it and

(b) at all times allow the Board or any of their servants duly authorised in this behalf to have access to such nala or water-course for any purpose of public conservancy.

Penalty—Rs. 10.

48. **Weeds.**—A person cleaning a channel or tank shall not leave any weeds taken therefrom on the slopes or banks of the channel or tank, but shall remove the same altogether within three days.

Penalty—Rs. 10; on a second conviction Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

49 **Bathing or Washing near Well (or Stand-pipe).**—No person shall bathe, or shall wash cloth, utensils, vehicles or any other article or any dog or other animal within a distance of ten feet from the lowest platform of any public well (or of any filtered water stand-pipe which is used by the public).

Penalty—Rs. 10.

Use of Stand pipe and Fountains.—Except with the general or special permission of the Board and under such conditions as they may

from time to time prescribe, no person shall use any stand-pipe or fountain, belonging to the Municipal Board, for any purpose other than drawing water—

- (a) for drinking on the spot, or
- (b) for carrying away for domestic purpose.

Penalty—Rs. 10.

51. Steeping Jute, Hemp, etc.—No person shall, without the general or special permission of the Board, steep in any tank or ditch any jute, hemp or other vegetable matter of any leather or skin or other animal matter which is likely to render the water offensive or noxious to the neighbourhood.

Penalty—Rs. 10; on a second conviction—Rs. 50 and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

52. Washing of infected Articles.—No person shall wash or cause to be washed in any tank or water course or any other receptacle for water used by the public for drinking or bathing purposes any clothes, bedding or other articles which have been used by a person suffering from any infections or contagious disease.

Penalty—Rs. 50

53. Bathing by infected Persons.—No person suffering from any infectious or contagious disease shall bathe in any public place.

54. Bathing place reserved for Females.—No male person above twelve years of age shall stand on or near or bathe or wash in any bathing place which has been reserved by the Board at a meeting for the use of female only.

Penalty—Rs. 10.

55. Cattle Troughs.—No person shall use for any other purpose any drinking trough which is intended for watering cattle.

Penalty—Rs. 10.

DISPOSAL OF SEWAGE AND OFFENSIVE MATTER

56. Depositing Night-soil.—No person shall either deposit night-soil in any place not approved by the Board for the purpose or pour in the night-soil in the near by drain or nallah.

Note.—For the purpose of this rule person includes or sweepers scavengers and other employees of the Board.

Penalty—Rs. 10; on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

57. Manure.—No owner or occupier of any garden of agricultural land shall, without the general or special permission of the Board cause or allow any human excrement to be used for manuring in such garden or land.

Penalty—Rs. 10.

58. Access to Municipal Servants.—Every owner or occupier of any house, land or premises from which sewage or offensive matter is not removed by the said owner or occupier or otherwise disposed of in a manner approved by the Board, shall give free access to the servants of the Municipal Board to his house, land or premises for the removal thereof within such hours as may have been fixed on by the Board.

Penalty—Rs. 10; on a second conviction—Rs. 50; for the continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

59. Removal of offensive matter from markets.—Every owner, occupier, lessee or farmer of any market shall remove or cause to be removed therefrom once in every twenty four hours any offensive matter which may have accumulated therein during that period.

Penalty—Rs. 10; on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty-rupees each day after written notice of the offence from the Board.

DISPOSAL OF CARCASSES

Disposal of Carcasses.—Every person within whose premises any animal may die shall within six hours after its death, or if the death occurs at night then within six hours after sunrise, either remove at his own expenses the carcasses to such place as may be set apart by the Board for the reception of such carcasses, or report its death to the Health Officer or Sanitary Inspector of the Board if any help is required for removal of the carcasses, on payment of such amount as may be fixed by the Board.

Penalty—Rs. 10.

61. No person shall deposit, or cause to be deposited, any carcasses of any part of a carcasses in any place other than such places as may from time to time be appointed by the Board for the reception of such carcasses.

Penalty—Rs. 10.

62. Latrines reserved for females.—No male person above ten years of age, except the municipal servant for the purpose of inspection or clearance at such times as the Board may fix in this behalf shall enter any public latrine intended for the use of females.

Penalty—Rs. 10.

DRAINS

63. **Obstruction to drains, etc.**—No person shall deposit or cause to be deposited in or on the side of any public drain any substance or thing which shall cause obstruction to such drain, or shall cut or stop any public water course or drain so as to obstruct the free passage of water. The Board may remove such obstruction at the cost of the owner or occupier if the obstruction is not removed after receipt of a written notice from the Board.

Penalty—Rs. 10.

64. **Construction of Stalls, platforms, etc., over a drain.**—No person shall construct or place over, or by the side of any public drain, any stall, bridge, platform, building or structure of any kind, except with the general or special permission of the Board and in such manner as they may direct. Such obstructions may be removed by the Board at the cost of the owner or occupier if not removed after receipt of a written notice from the Board.

Penalty—Rs. 10 ; daily penalty—Rs. 2.

CREMATIONS AND BURIALS AND THE DISPOSAL OF CORPSES

65. **Covering of corpse**—No person shall convey a corpse or part of a corpse along any road unless it be decently covered and totally concealed from view.

Penalty—Rs. 10.

66. **Depositing corpse on or near road.**—No person while conveying a corpse shall, except for the purpose of ordinary relief or for a religious purpose, deposit it on or near any road.

Penalty—Rs. 10.

67. **Burial or burning obligatory.**—No person shall, without the general or special permission of the Board dispose of any corpse otherwise than by burying or burning it in a place set apart for the purpose by the Board.

Penalty—Rs. 10 ; on a second conviction—Rs. 50 ; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

68. **Lines for graves.**—When line for graves in any burial place have been marked out by the Board, no person shall build or dig or cause to be built or dug any grave in such burial place except in such a line.

Penalty—Rs. 50.

69. **Depth of coffin or corpse in masonry grave.**—No person shall, in any burial ground bury, or cause to be buried, any corpse in a grave constructed of masonry, unless the top of the coffin, or (if no coffin is used) the corpse is placed at least six feet below the surface.

Penalty—Rs. 10 ; on a second conviction—Rs. 50 ; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

70. **Depth of non-masonry graves.**—No person shall, in any burial ground, bury or cause to be buried any corpse in a grave not constructed of masonry, unless the grave is at least six feet deep.

Penalty—Rs. 10 ; on a second conviction—Rs. 50 ; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

71. **Distance between graves.**—No person shall build or dig, or cause to be built or dug any grave in a burial ground at a distance of less than three feet from any other existing grave.

Penalty—Rs. 10 ; on a second conviction—Rs. 50 ; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

72. **Opening graves.**—No grave once used shall be opened for the burial of another corpse without the general or special permission of the Board.

Penalty—Rs. 10.

73. **Complete cremation.**—Any person burning, or causing to be burnt, any corpse at any burning ground or burning ghat, shall cause the corpse and the clothes and other articles brought with it to be completely reduced to ashes.

Penalty—Rs. 10.

74. **Speedy cremation.**—Any person who conveys, or causes to be conveyed, any corpse to any burial or burning ground or burning ghat shall bury or burn the same or cause it to be buried or burnt within six hours after its arrival at such ground or ghat.

PREVENTION OF NUISANCES AFFECTING THE PUBLIC HEALTH SAFETY OF CONVENIENCE

75. **Clearing and fencing land.**—Every owner or occupier of any land shall, within forty-eight hours after service of a notice in this behalf from the Board—

- (a) clear the land of dirt, dung, bones, ashes, sweepings, night-soil and other filth, and all other noxious or offensive matter, and
- (b) fence the land so as to prevent the commission thereon of nuisances affecting the public, health, safety or convenience.

Penalty—Rs. 10 ; on a second conviction—Rs. 50 ; and the continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

76. **Sanitation of public places of charity or worship.**—No proprietor, owner, manager, trustee or motawali or person entrusted with the daily supervision or in charge of any public place of charity or worship shall keep such place or any building or premises used in connection therewith in an insanitary condition.

Penalty—Rs. 10 ; on a second conviction—Rs. 50 ; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

77. Cleanliness of shops markets and slaughter-houses.—Every owner or occupier of a meat, poultry, fish or vegetable shop or market, bazar or slaughter-house, shall keep the same in a cleanly condition.

Penalty—Rs. 10 ; on a second conviction—Rs. 50 ; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

78. Sale of fish in market.—No person shall sell fish or expose fish in any part of the Municipal market except on the paved floor specially set apart for the purpose.

Penalty—Rs. 10.

79. Lepers not to enter markets.—No person suffering from leprosy may enter any public market place.

80. Sale of prepared articles of food.—Every baker of confectioner who keeps for sale any bread, sweetmeats or other prepared articles of food and every vendor or hawker of such articles shall keep the same in a glass case or other covered receptacle, so as to exclude flies and dust there from and shall not touch the same with bare hand but shall do so with some contrivance which is free from dirt.

Penalty—Rs. 10 ; on a second conviction—Rs. 50 ; and for continuing offence a further penalty and exceeding twenty rupees each day after written notice of the offence from the Board.

81. Sale of food or drink.—No person shall sell, or expose for sale in any market or on or by the side of any road, any prepared or manufactured article intended for human food or drink unless such article is protected from flies, dust and other sources of contamination by means of a sufficient covering or such other ways as may be directed by the Board from time to time.

Penalty—Rs. 10.

82. Easing oneself in market.—No person shall satisfy a call of nature within any market except at a urinal or latrine provided for the purpose.

Penalty—Rs. 10.

83. Preparation of aerated water, ice, ice-cream ; etc.—No person shall use any premises for aerated water, ice, ice-cream, etc. without a license from the Board and such license shall not be granted unless the condition set forth in the license are complied with.

Penalty—Rs. 50.

84. Aerated water and ice. (For municipalities with pipes water-supply).—Chlorinated water drawn from a municipal main shall alone be used in the preparation of aerated waters for purposes of sale. The vessel in which it is drawn shall be rinsed but before use as prescribed in bye-law No. 86.

No person shall make ice for purposes of sale without first boiling the water.

Penalty—Rs. 50.

For municipalities with no pipe water-supply the following may be substituted:—

85. Aerated water and ice. (For municipalities with no piped water supply).—Filtered water only shall be used in the preparation of aerated waters for purposes of sale, the filter used for the purpose being an efficient one of pattern approved by the Board, and sterilised in a manner and at intervals approved by the Board.

No person shall make ice for purposes of sale without first boiling the water.

Penalty—Rs. 50.

86. There shall be one tank inside any aerated water factory to contain a strong solution of permanganate of potash (the colour of pomegranate juice) and zinc bath containing such solution: in this bath the bottles shall be rinsed and then inverted on a rack and then filled. The brush used for cleaning the bottles shall be washed in boiling water and dried each day after use.

Penalty—Rs. 50.

87. Infected clothing.—No person shall retain, purchase or sell clothing found on the dead body of a person who has died from small-pox, plague, cholera or any other infectious disease.

Penalty—Rs. 50.

88. Disinfection of carriages.—Every owner or driver of a carriage which has conveyed a person suffering from small-pox, plague, cholera, or any other infectious disease, or a corpse, shall before using the carriage again, disinfect it with such disinfectant as the Board may from time to time prescribe.

Penalty—Rs. 50.

89. Picketing animals, collecting carts or forming encampments.—No person shall, without the general or special permission of the Board, picket animals, collect carts or from any encampment on any public ground and set apart for the purpose.

Penalty—Rs. 10 ; on a second conviction—Rs. 50 ; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

90. Diseased or worn-out cattle.—No person shall abandon or let loose, or allow to get loose, any diseased or worn-out cattle.

Penalty—Rs. 10.

(91) Pig sties.—In places where the Board directs that this order shall be enforced no pig shall be kept except in closed sties.

Penalty—Rs. 10.

92. **Nocturnal noises.**—No person shall, except with the general or special permission of the Board, beat a drum or tom tom or blow any high-sounding instrument after 10 p.m. or before 6 a.m.

Penalty—Rs. 10.

93. **Interference with electrical wires, standards or fittings.**—(1) No person shall fly a kite by means of a wire, thread or string with powdered glass within the municipality, and no person shall fly a kite of any description in the vicinity of electric, telegraph or telephone wires or standards.

(2) No person shall, in the vicinity of any electric, telegraph or telephone wires or standards, play any game which is likely to cause damage to such wires or the poles, brackets or other fitting to which they may be attached.

(3) No person shall in any circumstances climb any pole or bracket carrying an electric, telegraph or telephone wire or bring any stick, pole, hook or other implement in contact with an electric telegraph or telephone wire, pole, bracket or other electrical fitting.

Penalty—Rs. 50.

REGULATION OF THE ERECTION AND RE-ERECTION OF BUILDINGS

94. **Production of patta of land.**—In accordance with the provision of section 172 of the A. M. Act, persons intending to erect or re-erect buildings, shall when required by the Board, produce the patta of the land for verification of the land area.

95. **Erection and re-erection of building.**—(1) Every person intending to erect or materially alter any building shall give to the Board a notice in writing through the Ward Commissioner of his intention specifying the position of the building intended to be erected or re-erected or materially altered, the description of the building, the purpose for which it is intended and its dimensions.

(2) If it is intended to use the building or any part thereof for any of the purpose mentioned in Section 229 of the Assam Municipal Act 1956, or as a stable or cattle shed, the fact shall be expressly stated in the said application.

96. **Particulars to be shown in rough plan.**—Every such person shall, unless expressly exempted by the Board submit with the application prescribed under bye-law No. 95 a rough site plan of the land on which the building is to be erected or re-erected or materially altered, together with a rough plan of the building showing the rooms and the dimensions thereof. The site plan shall show—

- (a) the position of existing buildings, if any, in the same compound,
- (b) the space to be left for free passage or way in front of the building,

(c) the space to be left about the building to secure free circulation of air and to facilitate scavenging and for the prevention of fire.

(d) the provision of ventilation of the building, the position of the cookshed and the provision and position of existing or proposed latrines, urinals, cesspools or drains.

(e) the level and width of foundation, level of lowest floor and the stability of the structure, and

(f) the line of frontage with the neighbouring building, if the building abuts on a road.

See Government letter 2 (a) No. LML 216/60 (ii) dated 5-7-61.

97. **Additional particulars.**—Every such person shall also submit with the application the following particulars in addition to the particulars mentioned in Section 302 (v) :—

(a) The materials to be used for roofing.

(b) The height of the walls.

(c) The number of windows in each room.

98. **Building with inflammable materials.**—In such area or areas as may be prescribed by the Board of a meeting no person shall without the special permission previously obtained from the Board erect or re-erect or cause to be erected or re-erected any building or wall or roof of a building with inflammable materials.

Penalty—Rs. 25.

99. **Floor of buildings.**—In such area or areas as may be prescribed by the Board at a meeting no person shall, without the special permission of the Board erect or re-erect or cause to be erected or re-erected any building the floor of which is not paved or cemented.

Penalty—Rs. 25.

100. **Building near latrine or urinal.**—No new building which is intended to be used as a dwelling place or a kitchen or as a place in which any person may be employed on any manufacture, trade or business shall be erected within fifteen feet of any latrine or urinal.

Penalty—25; on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

101. **Plinth of building.**—The plinth of a building excepting garages shall be at least two feet above the ground level. Provided that the plinth of stable and cowsheds may be one foot above such level.

Penalty—Rs. 25; on a second conviction—Rs. 50; and for continuing offence, a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

102. **Completion of building.**—Within one month after the completion of the erection of a new building, the owner of the building shall send to the Board a written notice of the fact of such completion.

Penalty—Rs. 25; on a second conviction Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

103. **Area of buildings.**—The total area covered by all the buildings on any site shall not ordinarily exceed half of the total area of the site. Provided that the Board at a meeting, may for special reasons, relax this rule.

Penalty—Rs. 25; on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

104. **Height of rooms.**—Every room which is intended to be inhabited shall be in every part not less than nine feet in height measured from the floor to the roof, provided that if it is not on the ground floor it shall have an average height, of not less than eight feet from the floor to the ceiling and minimum height in any part of not less than six feet.

105. **Line of building on road.**—(a) Without the sanction of the Board no building which abuts on a road shall be erected or re-erected except in the same line as the neighbouring house or buildings.

(b) Without the sanction of the Board no building shall be erected or re-erected within ten feet from the foot of the slope of any road.

Definition—Road means a motorable road.

105. (c) **Line of building on footpaths or Lane.**—Without the sanction of the Board, no building shall be erected or re-erected without leaving a clear distance of 6 ft. from the foot of the slope or the path or lane.

Definition—Footpath or lane—means not a motorable path or lane.

105 (d) **Line of building on P. W. D. roads.**—Without the sanction of the Board, no building shall be erected or re-erected without leaving a clear distance of 10 ft. from the extreme edge of roadside berm or road side land by the side of the P. W. D. road (in case of minor road) and 15 ft. (in case of major roads).

Penalty—Rs. 25; on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

106. **Notice of objection.**—No permission shall be issued for the erection or re-erection of building or latrine without first inviting objection from the immediate neighbours giving ten days time to file their objection if any.

106. (a) **Minimum distance from interplot boundaries.**—Other than the allottees of the Government land, without the sanction of the Board no person shall erect or re-erect buildings or latrines at the distances of less than 6 ft. from the interplot boundaries measuring in the narrowest parts.

PROVIDING FOR THE INSPECTION AND PROPER REGULATION OF SLAUGHTER-HOUSES

107 "Slaughter-house" in these bye-laws includes any building or place used for slaughtering cattle or for the sale of meat.

108 (1) No place or building shall be used as a slaughter house within the municipal area without a license from the Municipal Board.

(2) The owner or occupier of a licensed slaughter-house shall be required to affix a notice to that effect on some conspicuous part of the premises.

(3) The slaughter-house shall not be within fifteen feet of any dwelling house and should be freely exposed to air on two sides at least.

(4) The slaughter-house shall be at least two feet above the ground level.

(5) There shall be no room or loft over the slaughter-house.

(6) The floor shall be well paved with stone and cemented.

(7) The surface of the walls in the interior shall be covered with any impervious material to a height of four feet.

(8) There shall be no water closet, privy or cesspool within the slaughter-house.

(9) There shall be no direct communication between the slaughter-house and any stable, water-closet, privy or cesspool.

(10) For cleanliness of the premises, walls and floors shall be kept in repair and cleansed within three hours after slaughtering.

(11) The inside walls and ceiling shall be line-washed every three months.

(12) No dogs shall be kept or allowed in the slaughter-house.

(13) All refuse, blood, manure and garbage shall be placed in suitable vessels of non-absorbent material with close fitting covers immediately after slaughtering, which shall be removed within three hours. All skins, fat and offal shall also be removed within four hours. No skin shall be dried or tanned within the premises of the slaughter-house.

(14) Every lair for cattle must be properly paved, drained and ventilated.

(15) The lairs for cattle shall not lie within ten feet of any dwelling house.

(16) The slaughter-house shall be open at all reasonable hours to the inspection of the Board or its Health Officer.

(17) No pregnant animals, milch animals, animals below ten months of age and animals extracted from the womb shall be slaughtered in slaughter-house or in any place within the municipality.

Penalty—Rs. 10; on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty-rupees each day after written notice of the offence from the Board and it will render the license liable to be suspended or cancelled as the Board may deem fit.

FOR REGULATING THE SALE OF MILK

109. (1) No person shall sell or bring for sale milk within the municipality without a license, which shall be issued to the milk sellers on payment of a license fee as may be prescribed by the Board. The license shall current for twelve calendar months from the date of issue and may be renewed for each subsequent year.

(2) Milk either of cows or of buffaloes may be sold or brought for sale within the municipality but it should be labelled as such on the receptacles in which they are kept. Cow's milk should not be mixed up with that of buffaloes or *vice versa*.

(3) No milk to or from which any substance has been asked or subtracted, shall be sold or offered for sale. Provided that milk from which any cream has been taken may be sold if the fact is stated.

(4) No person shall sell or bring into the station for sale stale milk or milk of a cow or buffalo suffering from any disease.

(5) All vessels in which milk is sold or transported shall be kept perfectly clean and shall be provided with a well-fitted cover.

(6) The premises in which cows or buffaloes are kept shall at all times be open to the inspection of the Milk Inspector or any member or officer of the Board.

(7) No persons suffering from any infections or contagious disease or having been recently in contact with a person so suffering shall carry or handle milk.

(8) All vessels used for the reception of milk shall be kept perfectly clean and must be cleansed with boiling water after each time of use.

any license may at any time be suspended or cancelled by the Board if the above rules are not complied with.

The penalty for breach of any of the foregoing bye-laws is a penalty not exceeding Rs. 50.

FOR REGULATING THE CONSTRUCTION ETC., OF DAIRY AND CATTLE-SHEDS

110. (1) No person following the trade of dairy men or milk sellers shall keep a dairy, milk shop or cattle-shed without obtaining the permission in writing of the Board. No such permission will be given by the Board until permission has been made to their satisfaction for the lighting, ventilation, air and floor space, cleanliness, drainage and water supply of the dairy, milk shop or cattle-shed.

(2) The floor of the cattle-shed must be raised at least one foot above the level of the surrounding ground and shall be properly sloped to permit of efficient drainage. The plinth should be paved with stone and well cemented and the upper floor planked.

(3) No person suffering from a dangerous, infectious diseases or having been recently in contact with a person so suffering shall handle milk, vessels or milk.

(4) The premises shall be kept clean and well drained. The inside walls of the dairy or milk shop shall be lime-washes at least in six months.

(5) No privy, cesspool or urinal shall be allowed within or communicate directly with or ventilate into any dairy, milk or milk store shop.

(6) No milk store or milk shop shall be used as a sleeping apartment or for any other purpose likely to cause contamination of the milk.

(7) The milk of a cow suffering from cattle plague plemo-pneumonia, foot-and mouth disease or tubercular deposits in the udder (when so certified by the Veterinary Surgeon) shall not be sold to the public.

(8) The dairy, milk shop and cattle shed shall be opened at all reasonable hours to the inspection of the Board or its Health Officer.

(9) All vessels in which milk is stored shall be kept perfectly clean and shall be provided with well-fitted covers. All such vessels must be cleansed with boiling water after each time of use.

Penalty—Rs. 10; on a second conviction—Rs. 50; and for continuing offence a further penalty not exceeding twenty rupees each day after written notice of the offence from the Board.

PROVIDING FOR THE INSPECTION AND PROPER REGULATION OF BAKERIES AND SWEETMEAT SHOPS.

111 (1) The term "bake-house," whenever it occurs in these bye-laws means and shall be deemed to mean and include any bakery or place or room wherein bread, biscuits, confectionery, or the like are prepared or baked for sale either wholesale or retail.

(2) It shall not be lawful for any person to use or occupy as a bake-house any house, room, premises or place unless such house, room, premises or place is first licensed by the Board, and such license shall not be granted, and if granted shall be recoverable, unless the following conditions are complied with—

(1) No water closet, privy, ashpit or drain shall be within or communicating directly with any bake-house.

(2) Any cistern supplying water to any bake-house shall be separate and at such distance from any privy or water closet as the the Board and direct.

(3) No drain or pipes for carrying off faecal or sewage matter shall have an opening within any bake-house.

(4) Every bake-house shall have always be kept and maintained in a cleanly state, free from effluvia arising from any drain, privy or other nuisances, or cause whatever, and lighted and ventilated to the satisfaction of the Board.

(5) Every bake-house shall be provided with such flooring drains, overns, kneading troughs, tables, vessels, furniture, plant and utensils thoroughly scrubbed and washed with water daily.

- (6) For the purpose of securing the observance or cleanliness in every bake-house, all the inside walls and all the ceilings or roof of such house, room, premises or place licensed as the bake-house, whether such walls ceilings or roofs be plastered or not, and all the passages or staircases of such bake-house shall be lime-washed every three months, and the floor, kneading troughs, tables, vessels and utensils thoroughly scrubbed and washed with water daily.
- (7) No person shall be employed, inside the bake-house, who is not cleanly clad or who is suffering from any infectious, contagious or loathsome disease, or who shall have recently been attending upon any person so suffering, nor shall any person be permitted to enter or shall enter any bake-house who is known to be suffering from any infectious, contagious or loathsome disease.
- (8) No person shall dwell, sleep, spit or smoke in any bake-house.
- (9) No person shall keep in any bake-house any hookhas bedding or soiled clothing or clothes. Nor shall any articles or utensils not pertaining to or required for the manufacture or preparation of the food therein carried on be kept in such bake-house.
- (10) Except in these rules otherwise provided, no person other than these employed in manufacturing, cooking, baking or preparing the articles of food cooked, prepared or baked in the bake-house shall be allowed to enter therein.
- (11) No animals of any kind shall be kept in any bake-house or with in its precincts, and no premises shall be licensed as a bake-house if there is a cow-house or stable within 11 feet of them.
- (12) All tough or other materials used in the manufacture of the article of food cooked, prepared or baked in any bake-house and all bread or other articles of food manufactured, cooked, baked or prepared in any bake-house shall be kept in clean receptacle and be cleanly covered.
- (13) No one keeping or using any bake-house shall use any adulterated or unwholesome food substance in the preparation or manufacture carried on in such bake-house.
- (14) Every bake-house licensed under these rules shall be open at all reasonable hours to the inspection of the Board or its Health Officer or the Civil Surgeon of the district or such person or persons as the Board may appoint in that behalf.
- (15) No person shall use any dirty or offensive covering for food of any kind, raw or cooked or carry the same in any dirty or offensive receptacle covered with any soiled or offensive covering.
- (16) Any person who uses or occupies as a bake house, any house, room, premises or place without a license or in any violation of any of the conditions or the licence granted to him shall be punishable with a penalty which may extend to Rs. 50 and when the breach is a continuing breach, with a further penalty which may extend to Rs. 5 for every day after the first during which the breach may continue.

112. The above bye-laws shall apply *mutatis mutandis* to sweetmeat shops within the municipality.

FOR REGULATING LODGING-HOUSES AND HOTELS

113. "Lodging-house" means a house in which visitors or other persons are lodged for hire for a night or more and where there is community of eating or sleeping accommodation.

"Hotel" for the purpose of these bye-laws shall be deemed to include any buildings or parts of a building used for catering food or drink or providing lodging or doing both on payment.

114. (1) The Board shall keep a register of lodging-houses and hostels within the municipality with the number of lodgers authorised to be received in each, and of the name and residence of the keeper thereof. No person shall within municipal limits keep such a lodging-house or a hotel until it is so registered. But in the case of the death of the registered, keeper of a lodging-house or a hotel any member of his family may for a period not exceeding four weeks keep the house without being registered.

(2) A lodging-house or a hotel shall not be registered until it has been inspected and reported on by the Health Officer and subsequently approved by the Board. No building or part of a building shall be registered or licensed as a lodging-house or a hotel unless the same is ventilated to the satisfaction of the Board.

(3) A lodging-house or a hotel registered under this bye-law shall be open at all reasonable times to the inspection of the Board and its Health Officer or any other officer duly authorised in writing in that behalf, and also of the Civil Surgeon of the district. Any person who prevents or refuses to permit such inspection shall be liable on conviction to a penalty not exceeding Rs. 50.

(4) No keeper of a lodging-house or a hotel shall, at any one time, receive or suffer to be received into such building or into any room therein a greater number of lodgers than shall from time to time be fixed by the Board as the maximum number of lodgers authorised to be received into such building or into such room. Such maximum number shall be specified in a notice in writing, according to the Form marked A and annexed to these bye-laws which shall be duly served upon or delivered to the keeper and shall continue in force until, in pursuance of the provision of clause 5, the maximum number is varied by the Board.

(5) The Board may from time to time vary the maximum number of lodgers authorised to be received into a lodging-house or a hotel or any portion thereof. Each time such maximum number is varied, the Board shall cause to be duly served upon or delivered to the keeper of such building a notice in writing according to the Form marked B and annexed hereto. No keeper of a lodging-house or a hotel shall at any time after such notice shall have been duly served upon or delivered to him and after the date specified to such notice, receive or suffer to be received into such building, or into any room therein, a greater number of lodgers than the number specified in such notice as the maximum of lodgers authorised.

(6) The keeper of a lodging-house or a hotel shall cause every yard, enclosure or open space belonging to the premises of the building to be maintained at all times in good order; and to be thoroughly cleansed from time to time of often as may be necessary for the purpose of keeping the same in a clean and wholesome condition.

(7) The keeper of a lodging-house or a hotel shall cause the floor of every room and staff in such building to be thoroughly swept once a day before the hour of 10 in the forenoon, and to be thoroughly cleansed once in every week;

Provided that if a room is occupied by a sick person and it is shown to the satisfaction of any person empowered under clause (3) above to inspect lodging-houses or hotels that the sweeping or cleaning of the room would be injurious to the sick person's health the person so empowered to inspect may exempt the room from the operation of these bye-laws for such time as it continues to be occupied by such sick person, and may at any time cancel the exemption.

(8) The keeper of a lodging-house or a hotel shall cause every window, fixture or fitting of wood, stone or metal and every painted surface in such building to be thoroughly cleansed from time to time as often as shall be requisite.

(9) The keeper of a lodging house or hotel shall cause all solid or liquid or liquid filth or refuse to be removed or ce at least in every day from every room in such building, and every vessel, utensil or other recept, or such filth or refuse to be thoroughly cleansed once at least in every day.

(10) The keeper of a lodging-house or a hotel shall cause the seat, floor and walls of every privy belonging to such building to be thoroughly cleansed from time to time, as often as may be necessary for the purpose of keeping such seat, floor and walls in a clean and wholesome condition.

(11) The keeper of a lodging-house or hotel shall cause every privy belonging to such building and every receptacle for filth provided in or in connection with such privy to be maintained at all times in good order and in a wholesome condition.

(12) The keeper of a lodging-house or a hotel shall cause all such means and apparatus, as may be provided or used in or in connection with such privy and such receptacle for the frequent and effectual application of dry earth or other deodorising substance of any filth deposited in such, receptacle to be maintained at all times in good order and efficient action.

(13) The keeper of lodging-house or a hotel shall cause a sufficient supply of such dry earth or other deodorising substance to be from time to time provided for used in such privy or receptacle for filth and shall cause such dry earth or other deodorising substance to be frequently and effectually applied to such filth. If dry earth or other deodorising substance is from time to time supplied to such building in pursuance of the directions given from time to time in that behalf by the Board or by any person with whom they may contract for the purpose, the keeper shall cause dry earth or other deodorising substance to be frequently and effectually applied to such filth.

(14) The keeper of a lodging-house or a hotel shall cause every ashpit, sink and drain belonging to such building to be maintained at all times in good order and in a wholesome condition.

(15) No keeper of a lodging-house or a hotel shall allow wet filth or refuse to be thrown into any ashpit constructed and used only as a receptacle for ashes, dust and dry refuse or to be thrown or allowed to run into any public drain, sewer or place not set apart for that purpose.

(16) The keeper of a lodging-house or a hotel shall cause all such means of ventilation as may be provided in or in connection with any room or passage in such building, and in or in connection with any privy belonging to the same to be maintained at all time in good order and efficient action.

(17) Immediately after the keeper of a lodging-house or a hotel shall been informed or shall have ascertained that any lodger in such building is ill of any infectious disease, he shall give notice to the Board as well as to the Civil Surgeon, and shall adopt such precautions as may be necessary to prevent the spread of such infectious disease.

(18) Such keeper shall not at any time, while such lodger is suffering from such infectious disease, allow any other person except the wife or relative of such lodger or a person voluntarily in attendance on such lodger, to use or occupy the same room as such lodger.

(19) Where, in consequence of the illness of such lodger, there may be reasonable grounds for apprehending the spread of infection through the admission of lodgers to any room or rooms in such house, or through the admission to such room or rooms of the maximum number of lodgers authorised to be received therein, such keeper, after being furnished with the necessary instructions from the Board and until the grounds for a apprehending the spread of infection shall have been removed, shall cease to receive any lodger in such room or rooms or shall receive therein such number of lodgers being less than the maximum number, as the exigences of the case may require.

(20) Such keeper shall immediately, after the death, removal or recovery of any lodger who may have been ill of any infectious disease, give written notice thereof to the Health Officer and shall, as soon as conveniently may be cause every part of the room which may have occupied by such lodger to be thoroughly cleansed and disinfected, and shall also cause every article in such room which may be liable to retain infection, to be in like manner cleaned and disinfected, unless the said Health Officer or the Civil Surgeon shall have ordered the same to be destroyed in which case such articles shall be destroyed immediately.

(21) Such keeper shall comply with all reasonable written instructions of the Civil Surgeon and of the Health Officer as to the proper cleaning disinfection of the room and articles.

When the same shall have been thoroughly cleaned and disinfected in accordance with such instructions, written notice thereof shall be given to the Board and no other lodger shall be received into the room which has been exposed to infection, until the expiry of forty-eight hours after which instructions have been duly complied with.

(22) Every keeper of a lodging-house or hotel, on receiving from the Board a notice or placard wherein shall be stated the description number of the room to which such notice or placard may apply and the maximum number of lodgers authorised to be received at any one time in such room, shall keep such notice or placard affixed in a suitable and conspicuous position in such room and in such manner that the words and figures in such notice or placard may be clearly and distinctly visible and legible.

(23) Every keeper of a lodging-house or hotel on receiving from the Board for the purpose of exhibition in such building or in any room therein a copy or copies of any bye-laws or rules for the time being in force with respect to lodging-houses or hotels shall keep such copy or copies affixed in a suitable or conspicuous position in such building or in such room and in such a manner that the contents of such copy or copies may be clearly and distinctly visible and legible.

Every keeper of a lodging-house or a hotel who shall commit a breach of any of the foregoing bye-laws shall be liable for every such breach to a penalty not exceeding Rs. 50, and in case of continuing breach to further penalty not exceeding Rs. 5 for each day after the first during which the breach continues.

FOR REGULATING LATRINES AND URINAL TANKS AND WELLS

115. Latrines and Urinals—Persons constructing or maintaining latrines and urinals shall observe the following conditions:—

- (a) No latrine shall be less than six feet and four feet square.
- (b) Every latrine or urinal shall be provided with a masonry plinth not less than three feet above ground level.
- (c) There shall be one receptacle in a urinal and two in a latrine, one for solid and another for liquid matter.
- (d) Every latrine or urinal shall be roofed.
- (e) Every latrine shall have a trap door so constructed as to close automatically.
- (f) Every latrine or urinal shall have a passage for the access of the servants of the Municipal Board in order to remove sewage or offensive matter and a pucca drain connecting it with a municipal drain.
- (g) No person shall build or cause to be built or keep after prohibition by the Municipal Board (1) any well or pit latrine, (2) any latrine or urinal within ten feet of any public road or public building, residential building or kitchen.

Penalty—Rs. 10.

116 Tanks and Wells—(a) No person shall draw water from any municipal tank or well set apart for drinking purposes except by means of the chain and bucket, if such are provided by the Board for the purposes and are in working order.

Penalty—Rs. 10.

(b) No person shall, without the permission of the Board; detach any chain or bucket provided by the Board for the purpose of drawing water from a municipal tank or well.

Penalty—Rs. Rs. 6.

(c) No person shall drink water direct from a bucket provided by the Board for a municipal tank or well or make any other use of such bucket than to draw water.

Penalty—Rs. 5.

FOR REGULATING THE SALE OF MEAT

117. Sale of Meat—No person shall sell or expose for sale meat except in a place authorised by the Board.

Penalty—Rs. 5.

FOR THE PREVENTION OF MOSQUITO BREEDING

118. (1) Any owner or occupier of land which appears to the Board to include wells, tanks, pools, excavation, cisterns or other places or vessels containing or capable of containing water shall within seven days after notice from the Board take measures as hereinafter provided for the prevention of the breeding of mosquitoes in such wells, tanks, pools, excavations, cisterns, places or vessels.

(2) The measures to be taken by the owner or occupier shall be stated in the notice and may be one or more of the following:—

- (a) Screening with wire-gauze netting of at least 14 to 16 meshes to the inch each way, or with any other material which will effectually prevent the ingress and egress of mosquitoes.
- (b) Complete emptying every seven days of unscreened containers, together with their thorough drying and cleaning.
- (c) Using a larvicide approved by the Board.
- (d) Covering completely the surface of the water with kerosene, petroleum, or a mixture of heavy mineral oil, kerosene and country castor oil (or other approved larvicide) once every seven days.
- (e) Filling or draining to the satisfaction of the Board.

(3) Any owner or occupier of land committing a breach of this bye-law shall be liable to a fine of not more than Rs. 5 for each day during which the offence continues.

FOR THE PREVENTION OF FIRES AT PETROL PUMPS

119. No person shall smoke or light a match or carry or deposit a naked light within ten feet of a kerbside pump intended for the supply of dangerous petroleum as defined in Section 2 of the Petroleum (Act XXX of 1934).

Penalty—Rs. 50.

CANCELLATION OF FORMER BYE-LAWS

120. **Cancellation of Former Bye-laws.**—The bye-law (or bye-laws Nos. and) which were confirmed by Notification No. dated the (or Government order No. dated the are by cancelled.

MODEL BYE-LAWS FOR REGULATING PLACES OF AMUSEMENTS AND RECREATION EXCLUDING CINEMATOGRAPHIC EXHIBITIONS

121. The premises shall be efficiently ventilated to the satisfaction of the Board and shall be maintained in a clean condition.

Penalty not exceeding Rs. 10.

122. Except with the special permission of the Board, which may be accorded after consulting the Civil Surgeon or the Subdivisional Medical Officer, as the case may be, no person shall hold dramatic performances, circuses, variety shows or similar recreations or amusements excluding cinematographic exhibitions any time between 12 (midnight) to 6 a. m.

Penalty not exceeding Rs. 50

123. The number of persons admitted in any time into any part of the place licensed shall not exceed such number as may be specified in the license as the number of persons who may be accommodated in such part.

Penalty not exceeding Rs. 10.

124. The place should be thoroughly swept and cleaned before and after a performance.

Penalty not exceeding Rs. 10.

125.(a) Urinal and privy accommodation on the scale given below for the seating accommodations of the auditorium and the staff shall be provided separately for each sex with a minimum of one urinal place or utensil and privy for every hundred persons for whom seating accommodation is provided :

Provided that a minimum of one urinal place or utensil and one privy shall be provided for every sex on every premises:

Provided also that in calculating the number of convenience required under the rule any number of person less than 100 shall be reckoned as one hundred.

(b) The design of every sanitary convenience shall be subject to the approval of the Public Health Department.

(c) Every sanitary convenience shall be under cover and so partitioned off as to secure privacy.

(d) Every sanitary convenience should be conveniently accessible to all persons patronising or employed in the premises.

(e) Separate convenience shall be provided for each sex.

(f) Every sanitary convenience and urinal on the premises shall be kept in a clean and sanitary state.

Penalty not exceeding Rs. 20.

126. No person suffering from any infectious or contagious disease shall be allowed to enter on or remain within the premises.

Penalty not exceeding Rs. 20.

127. (a) The Board may, with a view to preventing the spread of any infectious or contagious disease, order that, for a specified time any place of public resort for the purposes of recreation and amusement shall be closed, or forbid any persons to attend any such place of public resort.

(b) Such order shall be publicly notified and notice thereof shall be served on the owner or occupier of the said place of public resort, of the proprietor or manager of the party holding the show and on the person forbidden to attend any such place of public resort.

After complying with the notice, any person aggrieved by the order, may appeal to the State Government within thirty days from the date of the order. The decision of the State Government shall be final.

(c) Any person who fails to comply with the aforesaid notice shall be liable to a penalty which may attend to Rs. 50 and where the offence continues, a further penalty not exceeding twenty rupees for every day during which the default continues.

128. The auditorium shall be provided to the satisfaction of the Board, with sufficient number of passages for the ingress and egress of the public, all suitably placed, and designed to permit safe passage.

Penalty not exceeding Rs. 20.

129. The door when opened shall be such as not to obstruct the exist passage on the outside, nor shall any fencing or other obstruction be kept at or near the door way.

Penalty not exceeding Rs. 20.

130. A clear passage or gangway shall be kept to all exists. No seats shall be placed, nor shall any person remain or to allowed to remain in any of the gangways or intersecting gangways:

Penalty not exceeding Rs. 20.

131. When chairs or benches are provided for seats, these must be arranged in rows and and there shall be kept a clear inter-space of not less than one and half feet in width between each set of two parallel rows of seats.

Penalty not exceeding Rs. 20.

A daily penalty of Rs. 20 in case of continued defaults.

132. (a) When seats are provided in rows, and the rows or any number of them are more than fifteen feet in length, there shall be kept a

intersecting gangway, not less than three feet in width, so dividing the rows that none of the aforesaid rows can be made more than fifteen feet in length on either side of the intersecting gangway.

Penalty not exceeding Rs. 20.

(b) The minimum size of chairs to be used for a seat shall be 18" x 18 .

Penalty not exceeding Rs. 10.

Daily penalty- Rs. 5 in case of continued defaults.

(c) When seats are arranged on carpets, mats and the like, an area of 5 square feet shall be provided for every spectator.

Penalty not exceeding Rs. 10.

Daily Penalty—Rs.5 in case of continued defaults.

133. The licensee shall keep within the premises fire appliances to the satisfaction of the Board.

Penalty not exceeding Rs. 25.

Daily penalty—Rs. 5 in case of continued defaults.

134. During summer the licensee shall arrange for fans and the like to the satisfaction of the Board.

Penalty not exceeding Rs. 25.

Daily penalty—Rs. 5 in case of continued defaults.

135. The licensee shall see that the exhaust of any engine operated by the party giving the show within the premises does not give out any noise offensive to the neighbourhood.

Penalty not exceeding Rs. 25.

Daily penalty—Rs. 10 in case of continued defaults.

136. **License for sale of drugs.**—License holders for shops for sale of drugs recognised by British Pharmacopoea shall renew their licenses annually before the 30th April each year on payment of a renewal fee as fixed by the Board from time to time with the approval of the Commissioner of the Division.

137. **For regulating the depots for trade, in coal coke, fuel, timber or wood.**—(1) No place or building or premises shall be used as a depot for sale of coal, coke, fuel, timber or wood within the Municipal area without a license from the Shillong Municipal Board and on payment of such fee or fees as are prescribed by the Board.

(2) The depot shall be kept and maintained in clean condition.

(3) The keeper of the depot of coke, coal, fuel, timber or wood for shall clear and keep clean all places including roads and drain which are used for purposes of his trade.

Penalty—Rs. 10 ; for second conviction—Rs. 50 ; and for continuing offence Rs. 20 daily in case of continued offence.

138. **Soap House and Dyeing House.**—No building, house, room, premises or place or any part thereof shall be used as a soap house or dyeing house within the limits of the Shillong Municipality without a license from the Shillong Municipal Board or renewal thereof on payment of such fee or fees as are prescribed by the Board from time to time.

Penalty—not exceeding Rs. 25. Daily fine Rs. 10 in case of continued offence.

BYE-LAWS FOR THE REGULATION OF THE USE OF LOUD SPEAKERS

139. No person shall play any loud music within the limits of municipality without obtaining the previous permission in writing of the Board in violation of any of the terms and conditions that may be laid in the permit so obtained:

provided that the playing of loud music shall be prohibited between the hours P. M. and sunrise.

Violation of this bye-law or any of condition which may be laid down in the writing permission as aforementioned shall be punishable with penalty not exceeding Rs. 50 in the first instance and for a subsequent offence not exceeding Rs. 20 per day.

Explanation.—The term "person" used in this bye-law shall include *mutatis mutandis* the Proprietor, Manager, person in immediate charge of any shop, Cinema House, place of business entertainment or show or fair any vehicle, the organisers of a meeting or festival.

The term "loud music" shall include music from such instrument like amplifiers and other electrically operated means of producing loud sound.

Exemption.—This bye-law shall not apply to anything done under orders of an authority of the State or Central Government in any of its Departments.

BYE-LAWS FOR THE LICENSING OF RICKSHAWS

Licensing of Rickshaws and Rickshaws Pullers.

140. No person shall own a rickshaw for plying on hire or for personal use and no person shall ply a rickshaw within the limits of a municipality unless appropriate licenses have been obtained by them under these bye-laws.

141. The owner of every rickshaw desirous of having the license renewed shall apply in writing to the Licensing Officer and producing the rickshaw for inspection at such place and time as may be specified. The application for license shall be accompanied by such fee as is prescribed in bye-law 159.

142. Licenses for a rickshaw may be renewed provided that—

- (i) the rickshaw had been plying for hire or private purpose at least for six months prior to
- (ii) the rickshaw is of substantial construction and adequate strength and is in a condition of good repair ;
- (iii) the rickshaw has been constructed according to the size and design specified by
- (iv) the hood is made of waterproof material, the lining of cushion and seats for passengers are made of soft leather or rexin.
- (v) the rickshaw has a lamp and a bell in front and a red lamp or danger light at the back ; and
- (vi) the cycle rickshaw has strong brakes in sound working order.

143. If the Licensing Officer is satisfied that all the conditions for renewal of a license of rickshaw has been complied with, he may renew a license in the prescribed form for a period of one year ending. The license shall be displayed at a prominent place in the rickshaw.

144. A person who wants a driver's license shall apply in writing to the Licensing Officer along with a medical certificate granted under bye-law 144 and the fee prescribed therefore under bye-law 159.

145. License for plying a rickshaw may be renewed provided that—

- (i) the applicant is not below 20 years or above 45 years of age.
- (ii) the medical certificate granted under bye-law 144 certifies that the applicant is fit in all respects to play a rickshaw for one year.
- (iii) the applicant is well acquainted with traffic rules and has good knowledge of all the routes within the local limits of municipality, and
- (iv) the applicant has not been convicted in any court of law for an offence involving moral turpitude.

146. If the Licencing Officer is satisfied that all the condition for the renewal of license for plying a rickshaw have been complied with, he may grant a license in the prescribed form with which the applicants photograph is attached for a period of one year ending. The applicant on renewal of a license shall also be provided with a metal token number which shall be displayed at all time by the puller of the rickshaw on his person.

147. A register or registers shall be kept in the office of the Licensing Officer in which necessary information regarding rickshaws and rickshaw pullers shall be entered. The register shall also contain the photogaph of each rickshaw puller.

148. The medical officer appointed by the..... in this behalf shall examine the person who applies for renewal of the driving licence and shall after payment of the fees prescribed under bye-law 159 in this behalf issue a medical certificate including clearly that—

- (i) such a person is not 20 years or above 45 yeasas of age,
- (ii) his height is not less than 5'-3",
- (iii) his general health and condition of his heart and lungs is such that he can bear the exertion and strain of drawing or driving a rickshaw,
- (iv) his eyesight and hearing are satisfactory,
- (v) he is not suffering from any contagious disease and there is no other physical defect in him which renders him unfit for the work.

149. Whenever the owner of a rickshaw transfers a rickshaw in the name of another person such a transferee and the transferer and, in the case of the death of an owner his heir shall within fifteen days of the transfer or death, as the case may be, inform in writing, the Licensing Officer, who on receipt of such a written information and after receiving the prescribed fee, record the transfer of ownership in the register.

150. Whenever an owner of a rickshaw changes his residence or ceases to ply the rickshaw, he shall within fifteen days inform in writing the Licensing Officer who shall keep a record of such a change or cessation.

151. The license granted to the driver shall be non-transferable.

152. The owner or a rickshaw licensed under these bye-laws shall not—

- (i) employ or permit an unlicensed driver to ply the rickshaw ;
- (ii) employ any driver who is suffering from a contagious disease or is otherwise ill ;
- (iii) refuse without reasonable cause to let the rickshaw on hire ;
- (iv) neglect to comply with any order of the Licensing Officer as to the repair of the rickshaw ;
- (v) fail to report the driver's sickness for more than seven days to the Licensing Officer.

153. The puller of a rickshaw licensed under these bye-laws shall not—

- (i) prevent or attempt to prevent another rickshaw or other conveyance from being hired ;
- (ii) ply a rickshaw which is unlicensed or has no license displayed on it or has no fare list properly painted or affixed to it or is not in a state of repair ;

- (iii) ply a rickshaw beyond the hours prescribed by the Licensing Authority and appearing on the driver's license;
- (iv) ask for more than the fare appearing on the fare list affixed to the rickshaw;
- (v) fail to produce the rickshaw in pursuance of the order of a Magistrate or the Licensing Officer or any other person authorised by the Licensing Officer;
- (vi) carry more than the number of person fixed or luggage in excess of the weight prescribed under these bye-laws;
- (vii) carry in a rickshaw except with the permission of the Licensing Officer or other officer authorised by him, a dead body or any person who is known to be suffering from a contagious disease.
- (viii) neglect to observe the traffic rules in force.
- (ix) ply during night time a rickshaw on the street without a lamp or lamps affixed to at proper places;
- (x) fail to take any property within twelve hours of its having been left unclaimed in a rickshaw to the nearest Police Station.

LOAD AND HIRE CHARGES

154. No rickshaw-puller shall carry in a rickshaw more than—
- (i) two passengers—One adult and one child below the age of twelve with twenty seers of luggage, or
 - (ii) one passenger with thirty seers of luggage at one time.

155. The hire charges for different places shall be fixed by the Licensing Officer and the charges shall be painted or affixed at a prominent place.

Miscellaneous.

156. The hire charges to be paid by the driver to the owner of a rickshaw shall be fixed by the Licensing Officer and the owner of a rickshaw shall not collect hire charges more than what is prescribed. He shall also give a proper receipt for the hire rickshaw by him.

158. All repairs to the rickshaw amounting to more than Re. 1 shall be borne by the owner of the rickshaw.

157. Every driver shall produce his license and badge whenever required to do so by any Magistrate, Licensing Officer or any person authorised by the Licensing Officer or any member of the Police duty.

158. The Licensing Officer may at any time revoke or suspend the license issued for a rickshaw if the rickshaw is found to be not in a proper condition to carry passengers or the license was obtained through misrepresentation.

159. The driving license shall be revoke if no medical examination a driver is found to be in such a state of health as to make him permanently unfit for plying a rickshaw.

160. The breach of any of the above bye-laws by the owner or driver shall be punishable with penalty which may extend to Rs. 25 and if the breach is continued the penalty may extend to Rs. 5 for every day of continuance of such a breach after the date of first conviction.

161. Whenever the Licensing Officer considers it necessary to disinfect the rickshaw, he shall make arrangement for getting the rickshaw disinfected. No charges shall be levied for such disinfection.

162. The Licensing and Medical fee shall be on the following scale:—

- (i) Owner's license for a cycle rickshaw—Rs. 12.
- (ii) Owner's license for a hand rickshaw—10.
- (iii) Driver's license for a cycle rickshaw—Rs. 2.
- (iv) Driver's license for a hand rickshaw—Re. 1.
- (v) Fee for medical certificate—Rs. 2.
- (vi) Fees for transfer of rickshaw—Re. 1.

163. If any dispute arises between the rickshaw owner and the rickshaw driver or between the rickshaw driver and the public hiring the rickshaw, any of the parties may approach the Licensing Officer, whose decision shall be final and binding on the parties.

164. Notwithstanding anything contained in the above bye-laws, the State Government shall have power to stop the plying of rickshaw in any municipal area by giving six months' prior notice to the rickshaw owners.

165. For the regulation of the bamboo clumps.—No owner or occupier of any land shall keep bamboo clump without the written permission of the Board.

Penalty.—Rs. 25. Daily penalty Rs. 10 in cases of continued offence.

(Form of Notice)

(Bye-law No. 113)

To

of

Whereas in pursuance of bye-laws made in that behalf, you have been duly registered by the Municipal Board of _____ as the keeper of a lodging-house or a hotel situated at _____ in the said Municipality.

Now I, _____, Chairman of the Municipal Board, do hereby give you notice that in the exercise of the powers conferred upon them in that behalf, the said Municipal Board have fixed as the maximum number of lodgers authorised to be received at any time into such building and into the several rooms therein the number specified in respect of such building and of each of such rooms the Schedule hereunto appended.

SCHEDULE

Municipality.....

Lodging-house or hotel situated at.....

Name of keeper.....

The maximum number of lodgers authorised to be received at any time into this building is.....

The maximum numbers of lodgers authorised to be received at any one time into each of the several rooms in the building is the number specified in respect of such room in the appropriate column of the following table:—

| | Description or number of room | Dimensions or cubical contents of room | Maximum number of lodgers |
|---------------|-------------------------------|--|---------------------------|
| Ground storey | | | |
| Upper story | | | |

For the purpose of this notice every two children under the age of ten years may be counted as lodger,

Witness my hand this day of19 .

Chairman, Municipal Board.

Form of Notice

(Bye-law No. 113)

To

of

Whereas in pursuance of bye-laws made in that behalf, you have been duly registered by the Municipal Board of _____ as the keeper of a lodging-house or a hotel situated at _____ in the said Municipality.

And whereas the said Municipal Board have determined that it is expedient to vary the number heretofore fixed by it as the maximum number of lodgers authorised to be received at any one time into such building and into the several rooms therein.

Now I, _____, Chairman of the said Municipal Board do hereby give you notice that from and after the _____ day of _____ the maximum number of lodgers authorised to be received at any one time into such building and into the several rooms therein shall be the number specified in respect of such building and of each rooms in the Schedule hereunto appended.

SCHEDULE

Municipality.....

Lodging-house or hotel situated at.....

Name of keeper.....

The maximum number of lodgers authorised to be received at any one time into each of the several rooms in this building is the number specified in respect of each room in the appropriate column of the following table:—

| | Description or number of room | Dimensions or cubical contents of room | Maximum number of lodgers |
|--------------|-------------------------------|--|---------------------------|
| Ground story | | | |
| Upper story | | | |

For the purpose of this notice every two children under the age of ten years may be counted as one lodger.

Witness my hand this day of.....19

Chairman, Municipal Board,
S.M. RAHMAN,
Secretary to the Government of Assam, L.S.G. Department.