

Public Safety And Suppression Of Nuisances

323. Prohibition of nuisances. –

- (1) No person shall -
- (a) in any public street or public place-
 - (i) case himself; or
 - (ii) carry meat exposed to public view; or
 - (iii) picket animals or collect carts; or
 - (iv) being engaged in the removal of rubbish, filth or other polluted and obnoxious matter wilfully or negligently permit any portion thereof to spill or fall or neglect to sweep away or otherwise effectually to remove any portion thereof which may spill or fall in such street or place; or
 - (v) without proper authority affix, upon any building, monument. post. wall. fence, tree or other thing. 'any bill. notice or other document; or
 - (vi) without proper authority deface or write upon or otherwise mark any building, monument, post. wall. fence, tree or other thing; or
 - (vii) without proper authority remove, destroy, deface or otherwise obliterate any notice or other document put up or exhibited under this Act or the rules or bye laws made thereunder; or
 - (viii) without proper authority displace, damage, make any alteration in. or otherwise interfere with. the pavement, gutter, storm water drain, flags or other materials of any such street, or any lamp bracket, direction post. hydrant or water pipe maintained by the Corporation in any such street or place, or extinguish a public light; or-
 - (ix) carry rubbish, filth or other polluted and obnoxious matter at any hour prohibited by the Commissioner by public notice, or in any pattern of cart or receptacle which has not been approved for the purpose by the Commissioner. or fail to close such cart or receptacle when in use; or
 - (b) carry rubbish, filth or other polluted and obnoxious matter along any route in contravention of any prohibition made in this behalf by the Commissioner by public notice; or
 - (c) deposit, or cause or permit to be deposited, earth or materials of any description or any rubbish or polluted and obnoxious matter in any place not intended for the purpose in any public street or public place or waste or un-occupied land under the management of the Corporation; or
 - (d) make any grave or burn or bury any corpse at any place not set apart for such purpose; or
 - e) at any time or place at which the same has been prohibited by the Commissioner by public or special notice, beat a drum or tom-tom, or blow a horn or trumpet or beat any utensil, or sound any brass or other instrument, or play any music; or (f) disturb the public peace or order by singing, screaming or shouting, or by using any apparatus for amplifying or reproducing the human voice, such as a megaphone or a loudspeaker; or
 - (g) let loose any animal so as to cause, or negligently allow any animal to cause, injury, danger, alarm or annoyance to any person; or
 - (h) save with the written permission of the Commissioner and in such manner as he may authorize, store or use night soil, cow dung, manure, rubbish or any other substance emitting an offensive smell; or
 - (i) 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 keeper of any animal shall not allow it straying in a public street or public place without a keeper.

(4) Any animal found straying as aforesaid may be removed by an officer or employee of the Corporation or by any police officer to a pound.

(5) Swine found straying in a public street or public place shall be liable to be destroyed by any officer or other employee of the Corporation appointed in this behalf.

324. Power of Commissioner to require removal or abatement of nuisance. –

Where the Commissioner is of opinion that there is a nuisance on any land or building, he may, by notice in writing, require the person by whose act, default or sufferance the nuisance arises or continues or the owner, lessee or occupier of the land or building, or any one or more of these persons to remove or abate the nuisance by taking such measures in such manner and within such period as may be specified in the notice.

325. Registration and control of dogs. –

(1) The Corporation may, by bylaws made in this behalf-

(a) require the registration, by the registration authority appointed by the Commissioner in this behalf of all dogs kept within the City;

(b) require that every registered dog shall wear a collar to which shall be attached a metal token to be issued by the registration authority, and fix the fee payable for the issue thereof;

(c) require that any dog which has not been registered or which is not wearing such token shall, if found in any public place, be detained at a place set apart for the purpose; and

(d) fix the fee which shall be charged for such detention and provide that any such dog shall be liable to be destroyed or otherwise disposed of unless it is claimed and the fee in respect thereof is paid within one week.

(2) This Commissioner may

(a) cause to be destroyed, or to be confined for such period as he may direct, any dog or other animal which is, or is reasonably suspected to be, suffering from rabies, or which has been bitten by any dog or other animal suffering or suspected to be suffering from rabies;

(b) by public notice direct that, after such date as may be specified in the notice, dogs which are without collars or without marks distinguishing them as private property and are found straying on the streets or beyond the enclosures of the houses of their owners, if any, may be destroyed and cause them to be destroyed accordingly.

(3) No damages shall be payable in respect of any dog or other animal destroyed or otherwise disposed of under this section .

(4) No one, being the owner or person in charge of any dog, shall allow it to be at large in any public street or public place without being muzzled and without being secured by a chain lead in any case in which-

- (a) he knows that the dog is likely to annoy or intimidate any person, or
- (b) the Commissioner has, by public notice during the prevalence of rabies, directed that dogs shall not be at large without muzzles and chain leads.

(b)

(5) No one shall-

(a) allow any ferocious dog which belongs to him or is in his charge to be at large without being muzzled, or

(b) set on or urge any dog or other animal to attack, worry or intimidate any person, or

(c) knowing or having reason to believe that any dog or animal belonging to him or in his charge has been bitten by any animal suffering or reasonably suspected to be suffering from rabies, fail or neglect to give in, mediate information of the fact to the Commissioner or give information which is false.

326. Stacking or collecting inflammable materials. –

The Commissioner may by public notice, prohibit in any case where such prohibition appears to him to be necessary for the prevention of danger to life or property, the stacking or collecting of wood, dry grass, straw or other inflammable material or the placing of mats or thatched huts or the lighting of fires in any place which may be specified in the notice.

327. Care of naked Lights. –

No person shall set a naked light on or near any building in any public street or other public place in such manner as to cause danger of fire: Provided that nothing in this section shall be deemed to prohibit the use of lights for the purpose of illumination on the occasion of a festival or public or private entertainment.

328. Discharging fire-works, fire-arms, etc. –

No one shall discharge any fire-arm or let off fire-works or fire balloons, or engage in any game in such manner as to cause or to be likely to cause danger to person passing by or dwelling or working in the neighborhood or risk of injury to property.

329. Power to require buildings, wells, etc., to be rendered safe. -

Where any building, or wall, or anything affixed thereto, or any well, tank, reservoir, pool, depression, or excavation, or any bank or tree is, in the opinion of the Commissioner, in a ruinous state, for want of sufficient repairs, protection or enclosure, a nuisance or dangerous to persons passing by or dwelling or working in the neighborhood, the Commissioner may by notice in writing require the owner or part-owner or person claiming to be the owner or part-owner thereof or failing any of them the occupier thereof to remove the same or may require him to repair, protect or enclose the same in such manner as he thinks necessary; and if the danger is, in the opinion of the Commissioner, imminent, he shall forthwith take such steps as he thinks necessary to avert the same.

330. Enclosure of waste land used for improper purposes. –

The Commissioner may, by notice in writing, require the owner or part-owner, or person claiming to be the owner or part-owner of any land or building, or the lessee or the person claiming to be the lessee of any such land which, by reason of disuse or disputed

ownership or other cause, has remained unoccupied and has become the resort of idle and disorderly person or of persons who have no ostensible means of subsistence or cannot give a satisfactory account of themselves or is used for gaming or immoral purposes or other- wise occasions or is likely to occasion a nuisance, to secure and enclose the same within such time as may be specified in the notice.