

THE PUNJAB PREVENTION AND CONTROL OF DENGUE (TEMPORARY) REGULATIONS 2011

[6th October, 2011]

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TEXT

**THE PUNJAB PREVENTION AND CONTROL OF DENGUE (TEMPORARY)
REGULATIONS 2011**

[6th October, 2011]

No. S.O. (PH) 9-98 / 2002 (P-I). In exercise of the powers conferred under subsection (1) of section 2 of the Punjab Epidemic Diseases Act 1958 (*XXXVI of 1958*), the Governor of the Punjab is pleased to prescribe the following temporary regulations:

1. Short title and commencement.—(1) These regulations may be cited as the Punjab Prevention and Control of Dengue (Temporary) Regulations 2011.

(2) They shall come into force at once.

(3) These regulations shall remain in force till 30 November 2011 and shall stand repealed on 1 December 2011.

2. Definitions.—(1) In these regulations:

(a) “Act” means the Punjab Epidemic Diseases Act, 1958 (*XXXVI of 1958*);

(b) “Government” means the Government of the Punjab;

(c) “Health Inspector means an officer appointed / designated by the Government as Health Inspector”

(d) “occupier” means a person in occupation of any premises or having the charge, management or control thereof, whether on his own account or as an agent of any other, but does not include a lodger;

(e) “owner” includes a co-owner, a lessee, any person who by whatever right is entitled to the rent or produce of any premises and any individual, association of persons (by whatever name called), institution, body corporate or official who is responsible for the proper maintenance of the premises; and

(f) “premises” means any land together with any building or part of a building standing thereon and includes a vehicle or a vessel.

3. Responsibilities of owners and occupiers.— For purposes of ensuring the prevention and eradication of dengue, an owner or occupier of a premises shall immediately and not later than within two days from the commencement of these Regulations:

(a) remove, destroy or otherwise effectively dispose of open tins, bottles, boxes, tyres from Motor vehicle workshops, Tyres shop, Tyres puncture / repair shop, Construction sites, and Plant Nurseries, or any other article or receptacle found in or within such premises, capable of holding water and placed in the open air;

(b) Clear all obstructions of gutters, down-pipes and drains so as to allow a smooth flow of water;

(c) maintain in good repair, closed and covered cisterns, tanks, room cooler, air conditioners and other receptacles for water so as to prevent the breeding of mosquitoes;

(d) Maintain and keep in good repair any well in the premises or its surroundings so as to make it mosquito-proof and thereby prevent the breeding of mosquitoes;

(e) Empty at least once in every week artificial pond or pool in the premises;

(f) Regularly drain any casual collection of water within the premises which is conducive to mosquito breeding;

(g) remove shrubs, undergrowth and all other types of vegetation, other than those grown for the purpose of food or those which are ornamental,

within or outside any building or structure with the premises which has become a breeding place for mosquitoes;

- (h) Remove any debris which is likely to become a breeding place for mosquitoes;
- (i) Remove and destroy the water plants and other plants which promote the breeding of mosquitoes; and
- (j) Eliminate or prevent any other condition favourable to the breeding of mosquitoes in the premises.

4. Spraying of pesticides.- The Health Inspector may, by notice in writing served on any owner or occupier of a premises, require such owner or occupier to spray any pond, cistern, fountain or any other place where water collects and where mosquitoes are found to be breeding, with such type of pesticide as may be specified in such notice and within the time specified therein.

5. Owner or occupier to be directed to take certain measures.– (1) Where it appears to the Health Inspector that any premises or anything kept or maintained therein has become favorable to the breeding of mosquitoes, the Health Inspector may by written notice require the owner or occupier of such premises, to adopt or take any one or more of the following measures within the time specified in such notice:

- (a) The repair of all gutters, down-pipes and drains of any building found in the premises;
- (b) the construction or reconstruction of any cistern, tank, room cooler or artificial pond found in the premises in such manner so as to make it capable of being emptied periodically;
- (c) to temporarily drain and clear any cistern, tank, room cooler, fountain or pond found in the premises and the closing thereof when it is no longer being used by the owner or occupier of the premises;
- (d) To maintain any well found in the premises in such condition so as to prevent the breeding of mosquitoes;
- (e) To fill-up, drain or treat with larvicide, any excavation, disused well, cesspit, pond or any other place where water is capable of being collected and stagnated;
- (f) To fill-up pits and low lying areas found within the premises;
- (g) to fill-up or drain or treat once a week with larvicide, swamps and water courses and water logged area as found in the premises;
- (h) To remove any debris which is likely to be a breeding place for mosquitoes;
- (i) Remove, uproot and destroy or trim water plant and any other plant which promotes the breeding of mosquitoes; and
- (j) Any other measures, which the Health Inspector may deem necessary for the prevention of spread of mosquitoes.

(2) The written notice, referred to in these regulations, shall further inform that in the event the owner or occupier neglects or fails to comply with such notice within the time specified therein, the Health Inspector shall be forced to carry out the measures specified in the notice and any expenses incurred in carrying out the same shall be recovered from such owner or occupier as arrears of land revenue.

(3) Where the owner or occupier of any premises on whom any written Notice has been issued under these regulations, neglects or fails to comply with the requirement of such written Notice within the time specified therein, the Health Inspector may authorize any person or persons, as the case may be, to enter such premises at any reasonable hour during the day and carry out the work or measures specified in the Notice which the owner or occupier has neglected or failed to do.

(4) Prior to commencing any work or measure under these regulations, such person or persons shall be required to show the owner or occupier, a copy of the document issued by the Health Inspector by which such person or persons were

authorized to carry out such work. Health Inspector would identify himself for the satisfaction of the owner or occupier.

(5) Nothing contained in these regulations shall preclude an owner or occupier who failed to comply with a Notice so issued from being prosecuted for an offence under section 3 of the Act.

6. Lessening the efficiency of any measures adopted.- (1) An owner or occupier or any other person shall not knowingly or willfully commit any act which is likely to –

- (a) cause the deterioration of any anti-mosquito measures carried out or adopted in any premises; or
- (b) lessen the efficacy of any anti-mosquito measures carried out or adopted in any premises,

Whether such measures were carried out or adopted by the owner or occupier of the premises or by the Health Inspector as the case may be.

7. Co-owners and co-occupants to be liable severally.- Where any premises are in the occupation of more than one person or where any property is co-owned by more than one person, for purposes of the enforcement of these regulations or any order, each of the occupiers and each of the co-owners shall be severally liable for any neglect or failure to comply with any requirement of any order or these regulations.

8. Body of persons.- Where any premises is owned or occupied or managed by a body of persons, then –

- (a) if that body of persons is a body corporate, every director, manager or secretary of that body corporate;
- (b) if that body of persons is a partnership, every partner of that partnership; and
- (c) if that body of persons is an unincorporated body, every individual who is a member of that body,

for purposes of the enforcement of these regulations or any order, shall be liable for any neglect or failure to comply with any requirement of any order or these regulations.

9. Directions issued to local authorities.- (1) Where any drain, canal, water course or swamp found within the administrative limits of a local authority which such authority is required to maintain in proper conditions, is found to have become conducive to the breeding of mosquitoes due to the failure or negligence on the part of such local authority to maintain the same in such proper conditions, the Government, on the report of a Health Inspector or otherwise, shall have the power to issue such directions as it may consider necessary or appropriate, to rectify such situation and prevent the breeding of mosquitoes, and such local authority shall comply with the direction in such manner and within such time as may be mentioned in the direction.

10. Collection of data.– (1) If a doctor, nurse, healthcare service provider, owner or occupier has reason to believe that any person is suffering from dengue fever, he shall immediately inform the Government or the Health Inspector concerned as to the particulars of the patient.

(2) The owners or occupiers of laboratories and hospitals shall provide the information under para (1) within one hour of their knowledge that a person is suffering from dengue fever.

(3) The information under paras (1) and (2) shall be furnished in such manner and through such means as the Government may publish in the media.

11. Directions to patients.–(1) The Health Inspector may require the person who is or is suspected to be suffering from dengue fever to undergo medical examination, to remain quarantined and to get proper medical treatment.

(2) Where the person who is or is suspected to be suffering from dengue fever is a minor, the Health Inspector may require the parent or guardian of the minor to have the minor medically examined, quarantined or treated.

12. Laboratories and hospitals.– (1) The owner or occupier of a laboratory or hospital shall take all necessary measures effectively to deal with the epidemic of dengue fever.

(2) Without prejudice to the generality of para (1), the owner or occupier of a laboratory or hospital shall:

- (a) segregate the patients suffering from dengue fever from the other patients;
- (b) use such protective equipments, such as nets, in order to prevent transmission of dengue fever from one person to another;
- (c) carry out fogging or spray in the premises of the laboratory or the hospital to prevent spread of the epidemic of dengue fever; and
- (d) disseminate information to persons coming to the laboratory or hospital the measures which are necessary to prevent spread of dengue fever and breeding of mosquitoes.

13. Educational institutions.–(1) The owner and occupier of an educational institution shall:

- (a) carry out larvicidal activity, insecticidal fogging or spray in the educational institution at such interval as may be directed by the Government or the Health Inspector;
- (b) identify the common breeding habitats of mosquitoes in the educational institution and take immediate measures to remove and eradicate them;
- (c) educate students and teachers regarding measures to prevent breeding of mosquitoes and handling of persons suspected to be suffering from dengue fever; and
- (d) regularly create awareness among students as to common breeding places of the mosquitoes and the ways and means to prevent spread of the epidemic of dengue fever.
- (e) make the school adopt such safety measures as may be necessary for prevention of dengue infection such as full sleeves, socks, and insect repellants.

14. Power or entry and inspection.– (1) Subject to the provisions of para (2), the Health Inspector or any other person authorized by him, shall have the power to enter any premises at any reasonable time –

- (a) to carry out any survey, inspection or search for the purpose of determining whether:
 - i) any duties imposed under these regulations are being complied with by the owner or occupier of such premises; or
 - ii) any measures are necessary, and if so the extent to which they are necessary, for the elimination or the prevention of the breeding of mosquitoes; or
- (b) to execute any work or measure required to be carried out under these regulations.

(2) For purposes of carrying out any survey, inspection or search under para (1), written consent to enter the premises on production of a docket shall be obtained:

- (a) where the premises concerned is a place of religious worship or is a place not open to the public, from the person in charge of such premises or any other competent person; or
- (b) where the premises concerned is used as a place of private residence, from the owner or occupier of such residence;
- (c) where the premises is a grave yard.

(3) Where the consent required to be obtained under para (2) is unfairly refused and the Health Inspector is satisfied that there is reason to suspect that any requirement imposed under these regulations is not being complied with, the Health

Inspector may obtain from the court of a Magistrate having jurisdiction in the area a search warrant under the Code of Criminal Procedure for purposes of entering such premises or private residences, as the case may be, and exercise all or any of the powers conferred upon him by such search warrant.

15. Penalty.- Every owner or occupier or any other person who contravenes or fails to comply with any duty or requirement or order under these regulations or under the Act shall be guilty of an offence under section 3 of the Act.