

Registered with the Registrar
of Newspapers for India
under No. 10410



Registered No.
PY/44/2018-20
WPP No. TN/PMG(CCR)/
WPP-88/2018-20
Dated : 13-2-2018
Price : ₹ 4-00

புதுச்சேரி மாநில அரசிதழ்

La Gazette de L'État de Poudouchéry

The Gazette of Puducherry

PART - II

சிறப்பு வெளியீடு EXTRAORDINAIRE EXTRAORDINARY

அதிகாரம் பெற்ற
வெளியீடு

Publiée par
Autorité

Published by
Authority

விலை : ₹ 4-00

Prix : ₹ 4-00

Price : ₹ 4-00

எண்	புதுச்சேரி	செவ்வாய்க்கிழமை	2018	ஸ்ரீ ரங்கராஜ் மீ	13 ௨
No.	7	Poudouchéry Mardi	13	Février	2018
No.		Puducherry Tuesday	13th	February	2018

(24 Magha 1939)

GOVERNMENT OF PUDUCHERRY CHIEF SECRETARIAT (HEALTH)

(G.O. Ms. No. 04, Puducherry, dated 9th February 2018)

NOTIFICATION

Whereas, the Lieutenant-Governor of Puducherry is satisfied that the Union territory of Puducherry is infected by and/or prone to an outbreak of Malaria, Dengue and Japanese Encephalitis.

And whereas, the Lieutenant-Governor of Puducherry is of the opinion that the ordinary provisions of law for the time being in force, in the Union territory of Puducherry are insufficient to prevent the outbreak and spread of the said diseases.

Now, therefore, in exercise of the powers conferred under sub-section (1) of section 2 of the Epidemic Diseases Act, 1897, read with Article 239 of the Constitution of India and in view of D.O. Letter No. 7-71/2016/NVBDCP/DEN/Advisory, dated 02-05-2016 and D.O. Letter No.14-4/2016-17/NVBDCP/MTD/Malaria Elimination/Pt. File, dated 07-06-2016 of the National Vector Borne Disease Control Programme, Government of India, New Delhi, the Lieutenant-Governor of Puducherry is hereby pleased to make the following regulations, namely:—

1. *Short title, extent and commencement.*— (i) These regulations may be called the ‘Puducherry Prevention and Control of Malaria, Dengue and Japanese Encephalitis Regulations, 2018’.

(ii) They shall extend to the whole of the Union territory of Puducherry.

(iii) They shall come into force on and from the date of publication of these regulations in the Official Gazette of Government of Puducherry.

2. *Definitions.*— In these regulations unless the context otherwise requires:-

(i) “Assistant Entomologist” means an Officer existing in the Office of the Assistant Director (Malaria/Filaria) for monitoring, evaluation and control of vector borne diseases;

(ii) “Controlling Officer” means an Officer appointed under these regulations, by the District Magistrate of Puducherry or Karaikal and Regional Administrator of Mahe or Yanam, from the cadre of Assistant Director (Malaria), who is responsible for implementation of the programme;

(iii) “District Magistrate” means the Chief Executive of a District responsible for running the administration of the District and who is empowered for the implementation of these regulations;

(iv) “Health Inspector” means the technical supervisor looking after surveillance and control activities in the Office of the Assistant Director (Malaria);

(v) "Infected Area" means any place or area, which is notified by the District Magistrate of Puducherry under these regulations to be infected with Malaria, Dengue and Japanese Encephalitis;

(vi) "Insect Collector" means the technical staff meant for collection, dissection and examination of adult mosquitoes and larval samples;

(vii) "Inspecting Officer" means an Officer appointed by Controlling Officer under these regulations from the cadre of Assistant Entomologist or Municipal Health Officer to inspect any place or area for surveillance and control of Vector Borne Diseases, who can nominate Sanitary Inspector or Health Inspector, Health Assistant and Insect Collector of Health Department;

(viii) "Municipal Health Officer" means an Officer of any Municipality or Commune Panchayat meant for higher level supervision of health and sanitation related works;

(ix) "Sanitary Inspector" means the technical supervisor for the execution of sanitary and solid waste removal and management work in any Municipality or Commune Panchayat.

(x) "Sentinel Surveillance Hospital" means any Hospital, which is notified by Government of India sufficiently specialised to diagnose, treat and report cases of Dengue, Japanese Encephalitis under these regulations, *i.e.*, Sentinel Surveillance Hospital *viz.*, Indira Gandhi Government General Hospital and Postgraduate Institute, Rajiv Gandhi Government Women and Children Hospital, Indira Gandhi Government Medical College and Research Institute and Jawaharlal Institute of Postgraduate Medical Education and Research in Puducherry region, Government General Hospital in Karaikal, Mahe and Yanam regions;

(xi) "Threatened Area" means any place or area, which is notified by the District Magistrate of Puducherry or Karaikal and Regional Administrator of Mahe or Yanam under regulation No. 3, to be prone for infection of Malaria, Dengue and Japanese Encephalitis;

(xii) “Vector Borne Disease” means illnesses that are transmitted by vectors, which include mosquitoes, ticks and fleas under these regulations.

3. *Notification of place or area as infected or threatened.*—The District Magistrate of Puducherry or Karaikal and Regional Administrator of Mahe or Yanam, by notification in the Official Gazette of Government of Puducherry may declare,-

- (i) any place or area in the District to be an infected area; and
- (ii) any place or area contiguous to any infected area in which, in his opinion, there is a danger of outbreak of Malaria, Dengue, Japanese Encephalitis and other vector borne diseases.

4. *Appointment of Vector Borne Disease Controlling Officer.*—The District Magistrate of Puducherry or Karaikal and Regional Administrator of Mahe or Yanam, shall appoint an Officer from the Health & Family Welfare Department for any infected area, to carry out all or any of the measures prescribed under this regulations.

5. *Publication of list of infected District, Town and Villages and intimation of outbreak of Malaria, Dengue and Japanese Encephalitis and other vector borne diseases.*—When the District Magistrate of Puducherry or Karaikal and Regional Administrator of Mahe or Yanam under Regulation No. 3. has declared any place or area to be an infected area, he shall cause the details of such place or area to be published in the Official Gazette. He shall further specify therein the information regarding Vector Borne Disease Controlling Officers and also the Primary Health Centre, Community Health Centre, General Hospital and other surveillance staff, for the treatment of Epidemiological and entomological investigation for Malaria, Dengue and Japanese Encephalitis.

6. *Duty of Private Practitioner, Clinicians and Nursing Homes.*—
(i) All the private practitioners, clinicians, Doctors-in-charge of nursing homes, medical institutions, clinical laboratories, *etc.*, within the territorial jurisdiction of Union territory of Puducherry must furnish information pertaining to blood slide collection and positive cases, information regarding the suspected and confirmed cases of Malaria, Dengue and Japanese Encephalitis to the Vector Borne Disease Controlling Officer;

(ii) Doctor-in-charge of the aforesaid clinics, nursing homes, medical institutions, clinical laboratories, *etc.*, shall send examined blood slide as and when required by the Vector Borne Diseases Controlling Officer for the purpose of cross checking.

7. Notification of persons suffering from Vector Borne Diseases.— When Malaria, Dengue and Japanese Encephalitis outbreak occurs at any place, the District Magistrate of Puducherry or Karaikal and Regional Administrator of Mahe or Yanam, shall cause the name and addresses of persons suffering from Malaria, Dengue and Japanese Encephalitis be notified in the Official Gazette of Government of Puducherry.

8. Powers of Vector Borne Disease Controlling Officer.— In the District, Town or Village in which the infected area or a threatened area is situated, the Vector Borne Disease Controlling Officers may:

(i) require every owner or occupier of a building and every Medical Practitioner to report every case of Malaria, Dengue and Japanese Encephalitis which may come to the notice of such owner, occupier or practitioner, to the Medical Officer-in-charge of the nearest Primary Health Centre, Community Health Centre, Assistant Director (Malaria) or to the Entomologist;

(ii) arrange for the examination of blood of any person suspected to be suffering from Malaria and for his treatment in Primary Health Centre, Community Health Centre, General Hospital and also referring the suspected case of Dengue and Japanese Encephalitis to any of the referral Institutes/Sentinel Surveillance Hospital in Indira Gandhi Government General Hospital and Postgraduate Institute, Rajiv Gandhi Government Women and Children Hospital, Indira Gandhi Government Medical College and Research Institute and Jawaharlal Institute of Postgraduate Medical Education and Research in Puducherry region, Government General Hospital in Karaikal, Mahe and Yanam regions;

(iii) carryout or cause to be carried out intensive space spraying and fogging operations with an effective intensity, in the building in which a case of Malaria, suspected Dengue case and Japanese Encephalitis occurred and in the surrounding buildings, households situated within a radius of 150 meters covering minimum of 100 households through spray team of the Assistant Director (Malaria) or Entomologist or Municipal Health Officer;

(iv) providing of preventive insecticidal indoor spraying, in any type of premises, including animal dwelling, tress, shops or any other type of roofed structures in hamlets, villages, labour colonies, slums and low lying areas, *etc.*;

(v) carry on mass blood survey and treatment to the inhabitants, temporary labour and casual visitors in the affected area, as the situation may demand;

(vi) provide such directions to the contractor or employer labour at the sites of projects like irrigation, roads, buildings, *etc.*, with a view to prevent and control the outbreak of Malaria, Dengue and Japanese Encephalitis at such sites.

9. (i) No person shall,-

(a) keep or maintain any collection of standing or flowing water in which mosquitoes breed or likely to breed;

(b) cause, permit or suffer any water within such area to form a collection in which mosquitoes breed or likely to breed, unless such collection has been effectively protected to prevent such breeding;

(c) occupy new building (private, Government or Semi-Government) unless "No Objection Certificate" is obtained from the Controlling Officer, regarding the requirements of anti-mosquito provisions in these premises, as the pre-requisite for Occupancy Certificate from Planning Authority of Puducherry/Karaikal/Mahe/Yanam, as the case may be.

(ii) The natural presence of mosquito larvae, pupae in any standing or flowing water shall be the evidence that mosquitoes are breeding in such water in those premises, institutions, offices or any dwelling units;

10. (i) The Controlling Officer may designate Assistant Entomologist, Municipal Health Officer as Inspecting Officers;

(ii) The Inspecting Officer, may, by notice in writing, require the owner or the occupier of any place, containing any collection of standing or flowing water, in which mosquitoes breed or likely to breed, within such time as may be specified in notice, not being less than 24 hours, to take such measures with respect to the same or to

treat the same by physical, chemical, biological and other methods, as the Inspecting Officer may consider suitable in the circumstances for the prevention and control of Malaria, Dengue and Japanese Encephalitis;

(iii) If, the person on whom a notice is served under sub-regulation (ii) mentioned above, fails or refuses to take measures, or adopt the method of treatment, specified in such notice within the time mentioned therein, the Inspecting Officer may himself initiate such measures or adopt the method of such treatment and recover the cost alongwith service charges for doing so, from the owner or occupier of the property, as the case may be;

11. Where, with the objective of preventing breeding of mosquitoes in any land or building, the owner or the occupier, at his instance, has constituted any works in such land or building, the owner or the occupier for the time being of such land or building shall prevent its being used in any manner, which cause or is likely to cause, the deterioration of such works, or which impairs or is likely to impair their efficiency.

12. (i) No person shall, without the consent of the Inspecting Officer interfere with injure, destroy or render useless, any work executed or any material of thing placed in, under or upon any land or building by or under the orders of the Inspecting Officer, with the object of preventing the breeding of mosquitoes, therein;

(ii) If, any person contravenes the provisions of sub-regulations (i) mentioned above, the Inspecting Officer may re-execute the work or replace the materials or things, as the case may be, and the cost alongwith the service charges for doing so, shall be recovered from such person.

13. The owner or the occupier of any house, building or shed or land shall not therein keep any bottle, vessel, can, tyre of any automobile/vehicle or any other container, broken or unbroken in such a manner that it is likely to, collect and retain-water, which may breed mosquitoes.

14. All burrow pits required to be dug in the course of construction and repair of roads, railways, telecommunication, embankments, *etc.*, shall be so filled, so as to ensure that, the water does not remain stagnated therein, where possible and practicable, the burrow pits shall be left clean, free from dead organisms and sharp edge and extra expenditure not exceeding one percent of the cost of the earthwork, in any project may be incurred to achieve this. The bed level of burrow pits shall be so graded and profiled that water will drain off by drainage channels connecting one pit with the other, till the nearest natural drainage is met with. No person, shall create any isolated burrow pits, which is likely to cause accumulation of water, which may breed mosquitoes and mosquito larvae.

15. In case of any dispute or difference of opinion in the execution of any anti-mosquito scheme or in its operation or any work under these provisions in which the jurisdiction of the Government of India or Government of any other State is involved, the matter shall be referred to the Government of India, for final decision in the issue.

16. For the purpose of enforcing the provisions of these regulations, the Inspecting Officer through any of his subordinates, not below the rank of Health or Sanitary Inspector, Health Assistants and Insect Collectors, after 24 hrs. of giving such notice in writing, enter and inspect any land or building within his jurisdiction and the occupier or the owner as the case may be of such land or building shall give all facilities necessary for such entry and inspection, and supply all such information as may be required by him, for the aforesaid purpose.

17. *Obstruction to performance of duty is prohibited.*— Every person shall duly comply with an order or requisition, issued under these regulations and no person shall obstruct the performance of any of the duties imposed upon anyone, under these regulations.

18. *Constitution of Mobile Court.*— In case of situation leading to an epidemic of Malaria, Dengue and Japanese Encephalitis, the Lieutenant-Governor of Puducherry may authorize, the Vector Borne Diseases Controlling Officer, for constituting a Mobile Court by including Inspecting Officers, *viz.*, Assistant Entomologist, Municipal Health Officer and subordinates, Health Inspector and Sanitary Inspector with vehicle and other supportive staff, so as to impose fine

or penalty to the owners, occupiers of premises creating conditions conducive for transmission, spread of Malaria, Dengue and Japanese Encephalitis inside the houses or offices, markets, shopping complex, institutions or any other place located within the territorial jurisdiction of the Union territory of Puducherry.

19. *Screening of migrant labourers at the construction sites.*— Contractors of any construction site, employers or Agents (Government or private agency) shall be responsible for getting all the migrant labourers screened for Malaria at the nearest Malaria Clinics or Primary Health Centre and for Dengue and Japanese Encephalitis at any Sentinel Surveillance Hospital viz., Indira Gandhi Government Hospital and Postgraduate Institute, Rajiv Gandhi Government Women and Children Hospital, Indira Gandhi Government Medical College and Research Institute and Jawaharlal Institute of Postgraduate Medical Education and Research in Puducherry region, Government General Hospital in Karaikal, Mahe and Yanam regions of the Union territory of Puducherry. No Labourer, shall be engaged by the contractors, employees or agents at the construction sites unless he/she has been screened for Malaria Dengue and Japanese Encephalitis.

20. *Penalty.*— Whoever, contravenes any of the provisions of these regulations or disobeys the direction of the Controlling Officer (or) Inspecting Officer (or) any Officer authorised by the Controlling Officer and if, such disobedience causes or tends to cause obstruction, annoyance or injury or risk of obstruction, annoyance or injury or danger to human life or tends to cause danger to human life, health or safety; or obstructs any measures taken by the Government of Puducherry or the Controlling Officer under these regulations, shall be punished with a fine of Minimum ₹ 500 (Rupees Five hundred only) up to a maximum of ₹ 5,000 (Rupees Five thousand only), accordingly.

(By order of the Lieutenant-Governor)

V. JEEVA,

Under Secretary to Government (Health).

online publication at “<http://styandptg.puducherry.gov.in>”

Published by The Director, Government Press

Printed at: Government Central Press, Puducherry.

Posted at: Puducherry HPO on every Tuesday