

CHAPTER XXIX. RULES, BY-LAWS, REGULATIONS & STANDING ORDERS

Rules in Schedule to be part of the Act

453. Rules in Schedule to be part of the Act.

The rules in ¹[Schedule A] as amended from time to time shall be deemed to be part of this Act.

Alteration of and addition to Schedule

454. Alteration of and addition to Schedule.

²[(1) The Corporation may add to ³[Schedule A] rules not inconsistent with the provisions of this Act I[and the rules made by the State Government under this Act] (which expression shall in this section be deemed not to included ⁴[the said Schedule A]) to provide for any matter dealt with or for any of the purposes specified in ⁵[the said Schedule A]; and may, subject to the same limitations, amend, alter or annul any rule in ⁶[the Schedule A] :

⁷[Provided further that,] if any rule regulating the punishment of an offence is altered or amended, the punishment awarded under such altered or amended rule shall not exceed the maximum provided in section 468.

Power to make ru subject to(es sanction of [State] Government.

455. Power to make ru subject to(es sanction of [State] Government.

(1) The power to make, add to, alter or rescind any rule under section 454, shall be subject to the sanction of the [State] Government and to the condition of the rules being made after previous publication.

(2) All rules made under section 451 shall be finally published in the Official Gazette & shall thereupon have effect as if enacted in this Act.

(3) In addition to the publication required under sub-section (1) & (2), the Corporation may determine in each case what further publication, if any, is required for rules made or proposed to be made.

Power of [State] Governments to make rule

456. Power of ⁸[State] Governments to make rule.

(1) The State Government may, by notification in the Official Gazette make rule to provide for matter expressly required or allowed by the to prescribe by rules or for such of the matters for carrying out the purposes of this Act.

(2) All the rules made under sub-section (1) shall be subject condition of previous publication.

Provided that the State Government may for sufficient reason, dispense with the requirement of previous publication.

(3) All the rules made under sub-section(1) shall be laid for not less than thirty days before the State Legislature as soon as possible after they are made and shall be subject to rescission or to such modification as the Legislature may make during the session in which

¹ This word and letter were substituted for the word "Schedule" by Guj. 19 of 1964, ss. 22 und 23.

² Section 454. except the proviso, was renumbered as sub-section (1) and after sub-section (1) as so re-numbered this sub-section added, by Guj.3 of 1999 s6 (a).

³ Same as 1.

⁴ These words and letter were substituted for the words "the said Schedule", ibid., s. 23

⁵ Same as 4.

⁶ Same as 1.

⁷ Same as 2.

⁸ This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950

they are also so laid, or the session immediately following.

(4) Any rescission or modification so made by the State Legislature

shall be published in the Official Gazette and shall thereupon take effect.

(5) Any rules made by the Corporation which are inconsistent with the rule made by the State Government shall be null and void to the extent of inconsistency.

(6) The ⁹[State] Government may at any time require the Corporation to make rules under section 454 in respect of any purpose or matter specified in section 457.

(7) If the Corporation fails to comply with such requisition within such reasonable time as may be fixed by the ¹⁰[State] Government, the ¹¹[State] Government may after previous publication make such rules and the rules so made shall, on final publication in the Official Gazette, have effect as if enacted in the Act.

Matters in respect of which rules may be made

457. Matters in respect of which rules may be made.

In particular, and without prejudice to the generality of the powers conferred by section 454, rules made thereunder may provide for or regulate all or any of the following purposes and matters, namely :-

- (1) Ward elections.-
 - (a) The amount of the rateable value of business premises for the purposes of the business premises qualification under section 8; ¹²[(b) to (i)]
 - (2) Proceedings of Corporation and Committees and conduct of business.-
 - (a) The time and place of meetings of the Corporation, committees and sub-committees;
 - (b) the manner in which notice of such meetings shall be given ;
 - (c) the quorum necessary for the transaction of business at such meetings;
 - (d) the management and adjournment of such meetings, and the regulation or orderly conduct of business thereat, including the withdrawal or suspension of members guilty of disorderly conduct ;
 - (e) the submission, asking and answering of questions at meetings of the Corporation;
 - (f) the constitution of Special Committees;
 - (g) the keeping of minutes and the submission of reports of meetings of the Corporation, Committees and sub-committees;
 - (h) the delegation of the powers of the Standing Committee to sub-Committees;
 - (i) the payment of conveyance charges to the Chairman and members of the Transport Committee for attendance at meetings thereof;
 - (j) any other matter relating to the proceedings of the Corporation, a committee or a sub-committee, the holding and regulation of meetings, the conduct of debate, the inspection of minute-books and the supply of copies of minutes to councillors or other persons on payment of fees or otherwise.

⁹ This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950

¹⁰ Same as 9.

¹¹ Same as 9.

¹² (b) to (i) deleted by Guj. 16 Of 1993 s.21.

(3) Municipal Officers and Servants.- (a) The qualifications necessary for and the method of appointment to posts the power of appointment to which vests in the Corporation;

(b) the mode of appointment to other posts;

(c) the powers & duties of the Municipal Chief Auditor and his staff;

(d) the determination of the services under the municipality to be treated as essential services for the purposes of Chapter V.

(4) Contracts.-

(a) The manner in which contracts may be executed;

(b) the security to be demanded for the due performance of contracts;

(c) the calling, examination and acceptance of tenders;

(d) the procedure to be followed in disposing of the property of the Corporation.

(5) Special Funds.-The constitution, maintenance and disposal of special funds within the Municipal Fund or the Transport Fund.

(6) Budget estimates.(a) The classification of budget-estimates of expenditure according to budget heads:

(b) the manner of making reduction in or transfers from one budget head to another or within a budget head.

(7) Municipal Taxes.-

(a) The assessment and recovery of municipal taxes;

(b) the conditions on which refunds of municipal taxes shall be allowed;

(c) in respect of a tax leviable under sub-section (2) of section 127, the matters referred to in sub-section (1) of section 149.

(8) Drainage.-

(a) The constructions, maintenance, improvement, alteration and discontinuance of drains;

(b) the conditions and restrictions to be observed with reference to drains;

(c) the conditions for connections with municipal drains;

(d) the conditions on which occupiers of trade-premises may discharge any trade-effluent into municipal drains;

(e) the conditions to be observed in erecting or affixing ventilation shafts or pipes under section 175;

(f) the manner in which samples of trade-effluent shall be analysed;

(g) the construction, position and maintenance of water-colsets, privies, urinals, bathing places or washing places.

(9) Water Supply.-The terms and conditions of the supply of water to building or other premises.

(10) Streets.-

(a) The information and documents to be furnished in connection with the lay-out of lands for building and private streets;

(b) the definition of sky-signs;

(c) the naming or numbering of streets and public places and the numbering of ¹³[premises].

¹³ This word was substituted for the word "Building" by Bom. 22 of 1956, s. 8 (1).

(11) Regulation of Buildings.

(a) The manner in which further information and documents in regard to the erection of, or additions to, alterations in, or repairs of, buildings shall be supplied;

(b) the conditions to be observed in commencing, carrying out, and completing building work and in occupying buildings on completion of works;

(c) the restrictions under which alterations may be made in the use of buildings:

(d) the inspection of newly constructed buildings;

(e) the conditions on which loans may be granted out of the Municipal Fund for building and the form of application for such loans.

(12) Fire Brigade.-The powers exercisable by the chief or other officer of the municipal fire brigade on the occasion of a fire.

(13) Sanitary Provisions.-

(a) The furnishing of information regarding the number of occupants in buildings;

(b) the removal and disposal of filth, rubbish, and polluted and excrementitious matter from premises;

(c) the maintenance of premises in a sanitary condition;

(d) the prevention of nuisances, including the prohibition and regulation of wells;

(e) the removal, trimming and cutting of trees and hedges;

(f) the regulation of the keeping of animals in the City;

(g) the regulation of public bathing and the washing of clothes;

(h) the information to be furnished by persons applying for permission to establish, remove, or re-open a factory, workshop, workplace or bakery governed by section 313;

(i) the articles which may not be kept and the trades and operations which may not be carried on in or upon any premises without a licence under section 376;

(j) the inspection of premises used or suspected of being used as a factory, workshop, workplace or bakery or for any licenseable trade or occupation or for the storage of any licenseable article;

(k) the prevention and regulation of the discharge of smoke, steam, fumes and noxious vapours;

(l) the prohibition and regulation of the use of whistles, trumpets and noise-producing instruments operated by any mechanical means;

(m) measures for the prevention of the spread of dangerous diseases.

(14) Markets.-The regulation of sales within or outside municipal or private markets.

(15) Fares and charges levied by Transport Undertaking.-The exhibition of notices of fares and charges in vehicles used for the conveyance of passengers.

(16) Vital Statistics.-The supply of forms of certificates regarding the cause of death to medical practitioners.

(17) General.-Any matter which is or may be prescribed to be provided for by rules.

By-laws for what purpose to be made**458. By-laws for what purpose to be made.**

The Corporation may from time to time make by-laws, not inconsistent with this Act and the rules, with respect to the following matters, namely :-

- (1) regulating, in any particular not specifically provided for in this Act or the rules, the construction, maintenance, protecting, flushing, cleansing and control of drains, ventilation-shafts or pipes, cess-pools, water-closets, privies, latrines, urinals, washing places, drainage works of every description, whether belonging to the Corporation or other persons, municipal water-works, private communication pipes, private streets and public streets;
- (2) regulating all matters and things connected with the supply and use of water;
- (3) regulating the maintenance, supervision and use of public and private cart-stands and the levy of fees for the use of such of them as belong to the Corporation;
- (4) prescribing the forms of notice under sections 253 and 254, the information, documents and plans to be furnished therewith in respect of different classes of structures or works, the manner in which and the persons by whom notices shall be signed and the manner in which plans, sections, descriptions, structural drawings or structural calculations shall be drawn, given, prepared and signed ;
- (5) regulating the manner in which, the supervision under which, the agency through which and the conditions and restrictions under which the work of erecting or re-erecting buildings of particular classes and any work such as is described in section 254 shall be carried out;
- (6) the structure of walls, foundations, roofs and chimneys, the number, width and position of staircases, the width of corridors and passages, the materials, dimensions and strength of floors and staircases and of all scantlings, girders, posts and columns of buildings, for securing stability and the prevention of fires and the safety of the inmates in the event of fire and for purposes of health, either generally or with reference to the type of the structure and the use to which it is intended to be put;
- (7) the construction of scaffolding for building operations to secure the safety of the operatives and of the general public;
- (8) the provision and maintenance of sufficient open space, either external or internal, about buildings to secure a free circulation of air, and of other means for the adequate ventilation of buildings;
- (9) the provision and maintenance of suitable means of access to buildings and preventing encroachment thereon;
- ¹⁴[(9A) the provision and maintenance of parking space and loading and unloading space, for buildings erected or re-erected in such locality or for such use as may be specified]
- (10) the provision & maintenance of house-gullies & service-passages;
- (11) regulating the conditions on which frame buildings may be

¹⁴ Clause (9A) was inserted by Gui. 19 of 1964. s. 24..

- constructed;
- (12) regulating the use of land as building site, prescribing the minimum size of such sites, either generally or for specified areas and prescribing setbacks from the street margin for all or particular classes of buildings on specified streets or classes of streets or in specified localities;
- (13) regulating the height of structures generally or with reference to the materials of which they are constructed or the width of the streets on which they front of the areas in which they are situated or the purposes for which they are intended to be used;
- (14) regulating the number and height above the ground or above the next lower storey of the storeys of which a building may consist;
- (15) prescribing the form of the completion certificate required under section 263 and the manner in which and the person by whom it shall be signed and subscribed;
- (16) regulating the intervals at which, the manner in which and the persons by whom buildings shall be periodically inspected under section 265;
- (17) regulating the management, maintenance, control and use of dwellings intended for the poorer sections of the community vesting in the Corporation;
- (18) prescribing the qualifications and experience of licensed surveyors, architects, engineers, structural designers, clerks of works and plumbers;
- (19) regulating in any particular not specifically provided for in this Act conservancy and sanitation, the destruction of rodents and other vermin, preventive and remedial measures against mosquitoes, flies and other insect pests;
- (20) the control and supervision of all premises used for any of the purposes mentioned in section 376 and of all trades and manufactures carried on thereon and the prescribing and regulating of the construction, dimensions, ventilation, lighting, cleansing, drainage and water-supply of any such premises;
- (21) the inspection of milch-Cattle, and prescribing and regulating the construction, dimensions, ventilation, lighting, cleansing, drainage and water supply of cattle-sheds and dairies;
- (22) securing the cleanliness of milk-stores, milk-shops and milk-vessels used by dairymen or milk-sellers for containing milk;
- (23) regulating the sale of milk in the City; the protection of milk against contamination and the prevention of the sale of contaminated milk;
- (24) requiring notice to be given whenever any milch animal is affected with any contagious disease and prescribing precautions to be taken for protecting milch-cattle and milk against infection or contamination;
- (25) regulating the measures to be taken in the event of the outbreak of any disease among animals which is communicable to man and the supply of information which will facilitate the taking of such measures;
- (26) securing the efficient inspection of markets and slaughter-houses

and of shops in which articles intended for human food are kept or sold;

(27) the control and supervision of butchers carrying on business within the City or at a municipal slaughter-house without the City;

(28) regulating the use of any municipal market building, market place or slaughter-houses or any part thereof;

(29) controlling and regulating the sanitary condition of markets and slaughter-houses and preventing the exercise of cruelty therein:

(30) the licensing of hand-carts, other than those exempted from taxation under section 143 or those plying for hire in respect of which licences have been issued under the Bombay Public Conveyances Act, 1920, and the seizure and detention of any such hand-carts that have not been duly licensed;

(31) requiring notice to be given of the occurrence of cases of any infectious, epidemic or endemic disease, not being dangerous disease, which may be specified and prescribing the precautions to be taken by persons suffering from, or exposed to infection from, any such disease;

(32) regulating the disposal of the dead and the maintenance of all places for the disposal of the dead in good order and in a safe sanitary condition, due regard being had to the religious usages of the several classes of the community;

(33) regulating the use of any place for the skinning and cutting up of the carcasses of animals;

(34) facilitating and securing complete and accurate registration of births and deaths:

(35) the registration of marriages;

(36) securing the protection of public parks, gardens, public parking places and open spaces vested in or under the control of the Corporation from injury or misuse, regulating their management and the manner in which they may be used by the public and providing for the proper behaviour of persons in them;

(37) regulating the use of barbed wire or other material for the fencing of land or premises abutting on any street, pathway or place which the public are entitled to use or frequent;

(38) regulating trade in rags, bones or second-hand clothing, bedding or other similar articles, including measures for disinfecting on import or before removal, sale or exposure for sale or use in any manufacturing process of any such article;

(39) regulating the holding of fairs and industrial exhibitions in the City;

(40) regulating and prohibiting the stocking of inflammable materials and of the lighting of fires in any specified portion of the City;

(41) regulating the charges for services rendered by any municipal authority;

(42) regulating admission to, and use by members of the public of, municipal hospitals, dispensaries, infirmaries, homes and similar institutions and the levy of fees therein;

(43) the protection of the property of the Corporation;

(44) regulating the inspection by members of the public of municipal

records and the fees to be charged before such inspection is allowed.

(45) regulating the grant of certified copies or extracts from municipal records, and the fees chargeable for such copies or extracts;

(46) regulating the appointment by owners of buildings or lands in the City who are not resident therein of agents residing in or near the City to act for such owners for all or any of the purposes of this Act or the rules, regulations or by-laws;

(47) regulating generally matters affecting the conduct of the Transport under-taking and the travelling in or upon vehicles of the undertaking used for the conveyance of passengers, subject to the provisions of any other enactment applicable to the undertaking and the provisions of any rules, by-laws, regulations, permit or licence issued thereunder, and, in particular, the observance by municipal officers and servants appointed in connection with the undertaking of sobriety, courtesy and special vigilance to prevent danger to persons or vehicles using the streets;

(48) carrying out generally the provisions and intentions of this Act.

Commissioner to lay draft by-laws before the Corporation for its consideration

459. Commissioner to lay draft by-laws before the Corporation for its consideration.

It shall be the duty of the Commissioner from time to time to lay before the Corporation for its consideration a draft of any by-law which he shall think necessary or desirable for the furtherance of any purpose of this Act.

Hearing by Corporation of objections to proposed by-laws.

460. Hearing by Corporation of objections to proposed by-laws.

No by-law shall be made by the Corporation, unless-

(a) a notice of the intention of the Corporation to take such by-law into consideration shall have been given in the Official Gazette and in the local newspapers at least six weeks before the date on which the Corporation finally considers such by-law;

(b) a printed copy of such by-law shall have been kept at the chief-municipal office and made available for public inspection free of charge by any person desiring to peruse the same at any reasonable time for at least one month from the date of the notice given under clause (a);

(c) printed copies of such by-law shall have been delivered to any person requiring the same on payment of such fee for each copy as shall be fixed by the Commissioner;

(d) all objections & suggestions which may be made in writing by any person with respect thereto within one month of the date of the notice given under clause (a) shall have been considered by the Corporation.

By-laws to be confirmed by ¹⁵[State] Government

461. By-laws to be confirmed by ¹⁶[State] Government.

No by-law made under section 458 shall have any validity unless and until it is confirmed by the ¹⁷[State] Government.

¹⁵ This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

¹⁶ This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

¹⁷ Same as 15.

By-laws confirmed by [State] Government to be published in the Official Gazette

Printed copies of by-laws to be kept on sale

[State] Government may modify or repeal by-laws.

Regulations

462. By-laws confirmed by ¹⁸[State] Government to be published in the Official Gazette.

When any by-law has been confirmed by the ¹⁹[State] Government it shall be published, in the Official Gazette, and thereupon shall have the force of law.

463. Printed copies of by-laws to be kept on sale.

(1) The Commissioner shall cause all by-laws from time to time in force to be printed, and shall cause printed copies thereof to be delivered to any person requiring the same, on payment of such fee for each copy as he may fix.

(2) Printed copies of the by-laws for the time being in force shall be kept for public inspection in some part of the municipal office to which the general public has access and in such places of public resort, markets, slaughter-houses and other works or places affected thereby, as the Commissioner thinks fit, and the said copies shall from time to time be renewed by the Commissioner.

(3) In regard to by-laws relating exclusively to the operations of the Transport Undertaking the provisions of this section shall apply as if for the word "Commissioner" the words "Transport Manager" had been substituted and as if sub-section (2) had provided for the display of the relevant by-laws in every vehicle of the Transport Undertaking used for the conveyance of the public.

464. ²⁰[State] Government may modify or repeal by-laws.

(1) If it shall at any time appear to the ²⁰[State] Government that any by-law should be modified or repealed either wholly or in part, it shall cause its reasons for such opinion to be communicated to the Corporation and prescribe a reasonable period within which the Corporation may make any representation with regard thereto which it shall think fit.

(2) After receipt and consideration of any such representation or, if in the meantime no such representation is received, after the expiry of the prescribed period, the ²⁰[State] Government may at any time by notification in the Official Gazette, modify or repeal such by-law either wholly or in part.

(3) The modification or repeal of a by-law under sub-section (2) shall take effect from such date as the ²⁰[State] Government shall in the said notification direct or, if no such date is specified, from the date of the publication of the said notification in the Official Gazette, except as to anything done or suffered or omitted to be done before such date.

(4) The said notification shall also be published in the local newspapers.

465. Regulations.

(1) The Standing Committee shall from time to time frame regulations not inconsistent with this Act and the rules but in consonance with any resolution that may be passed by the Corporation-

(a) prescribing the qualifications required for appointments to posts in municipal service other than those specified in sub-clause (a) of

¹⁸ Same as 15.

¹⁹ This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

²⁰ Same as 18.

clause (3) of section 457-

(b) fixing the amount and the nature of the security to be furnished by any municipal officer or servant from whom it may be deemed expedient to require security;

(c) regulating the grant of leave to municipal officers and servants;

(d) authorizing the payment of allowances to the said officers and servants, or to certain of them, whilst absent on leave;

(e) determining the remuneration to be paid to the persons appointed to act for any of the said officers or servants during their absence on leave;

(f) authorizing the payment of travelling or conveyance allowance to the said officers and servants;

(g) regulating the period of service of all the said officers & servants;

(h) determining the conditions under which the said officers and servants, or any of them, shall on retirement or discharge receive pensions, gratuities or compassionate allowances, and under which the surviving spouse or children and, in the absence of the surviving spouse or children, the parents, brothers and sisters, if any, dependent on any of the said officers and servants, shall, after their death, receive compassionate allowances and the amounts of such pensions, gratuities or compassionate allowances;

(i) prescribing the procedure to be followed in removing from service or dismissing or otherwise punishing any municipal officer or servant other than an officer who is appointed under section 40 or 45 or who is appointed to act in the place of such officer;

(j) authorizing the payment of contributions, at certain prescribed rates and subject to certain prescribed conditions, to any pension or provident fund which may, with the approval of the Standing Committee, be established by the said officers and servants or to such provident fund, if any, as may be established by the Corporation for the benefit of the said officers and servants;

(k) prescribing the conditions under which and, subject to the provisions of sub-section (2) of section 50, the authorities by whom the said officers and servants or any of them, may be permitted while on duty or during leave to perform a specified service or series of services for a private person or body or for a public body, including a local authority, or for the Government and to receive remuneration therefor ;

(1) in general, prescribing any other conditions of service of the said officers and servants.

(2) The Standing Committee may also from time to time frame regulations not inconsistent with the provisions of this Act & the rules-

(a) determining the standards of fitness of buildings for human habitation;

(b) regulating the declaration of expenses incurred by the Commissioner under the provisions of this Act and the rules in respect of any materials or fittings supplied or work executed or thing done to, upon or in connection with some building or land which are recoverable from the owner or occupier to be improvement expenses;

(c) prescribing the powers of the Municipal Chief Auditor with regard to the disapproval of, and the procedure with regard to the settlement of objections to, expenditure from the revenue of the Corporation ;

(d) regulating the grant of permission by the Commissioner for the construction of shops, ware-houses, factories, huts or buildings designed for particular uses in any streets, portions of streets or localities specified in a declaration in force under section 269.

(3) (a) No regulation under sub-section (1) or under clause (a) of sub-section (2) shall have effect until it has been confirmed by the Corporation and, if made under clause (h) of sub-section (1), until it has in addition been confirmed by the ²¹[State] Government;

(b) regulations under ²²[clause (c) of sub-section (2)] shall be made in consultation with the Chief Auditor and shall not have effect unless sanctioned by the Corporation.

(4) With reference to officers and servants appointed under Chapter XX and to expenditure from the Transport Fund the provisions of sub-section (1) and of clause (c) of sub-section (2) shall apply as if for the words "Standing Committee" the words "Transport Committee" had been substituted.

466. Making of standing orders by Commissioner.

Making of standing orders by Commissioner

(1) The Commissioner may make standing orders consistent with the provisions of this Act and the rules and by-laws in respect of the following matters, namely :-

(A) (a) prescribing nakas for the collection of octroi and tolls;

(b) regulating the mode and manner in which octroi and tolls shall be collected;

(c) determining how octroi shall be calculated when no reliable evidence is available of the value of the goods imported;

(d) regulating the stamping, sealing or otherwise marking of imported goods;

(e) prescribing the manner in which refunds of octroi shall be claimed or made and the conditions under which agents shall be recognised for obtaining refunds of octroi.

(f) determining the supervision under which, the routes by which and the time within which goods intended for immediate exportation shall be conveyed out of the City and the fees payable by persons so conveying the goods;

(g) any other matter relating to the collection of octroi which is not provided for in this Act;

(B) the manner in which sales of immovable property attached for the non-payment of municipal dues shall be held;

(C) (a) the training, discipline and good conduct of the men belonging to the municipal fire-brigade and any volunteer fire brigade recognised by the Corporation.

(b) their speedy attendance with engines, fire-escapes and all necessary implements on the occasion of any alarm of fire

²¹ This word was substituted for the word "Provincia l" by the Adaptation of Laws Order, 1950.

²² These words, brackets, letter and figure were substituted for the words, brackets, letter and figure "clause(b) of sub_section (2)" by Bom. 39 of 1951, s.3 , Second Schedule.

- (c) the maintenance of the said brigade generally in a due state of efficiency;
- (d) determining the officers to whom and the places at which intimation of the outbreak of a fire shall be reported and the action to be taken on the receipt of such intimation;
- (e) for the granting of gratuities, rewards or certificates to persons who have given notice of fires or who have rendered meritorious service to the fire brigade on the occasion of a fire;
- (D) (a) for preventing nuisance or obstruction in any market-building, market-place, slaughter-house or stock-yard or in the approaches thereto;
- (b) fixing the days and the hours on and during which any market, slaughter-house or stock-yard may be held or kept open for use and prohibiting the owner of any private market from-keeping it closed without lawful excuse on such days or during such hours;
- (c) prohibiting every vendor in a market from closing his shop, stall or standing to the public without lawful excuse or from withholding from sale any articles in which he normally deals;
- (d) for keeping every market-building, market-place, slaughter-house or stock-yard in a cleanly and proper state, and for removing filth and refuse therefrom;
- (e) requiring that any market-building, market-place, slaughter-house or stock-yard be properly ventilated and be provided with a sufficient supply of water;
- (f) requiring that in market-buildings and market-places passages be provided between the stalls of sufficient width for the convenient use of the public;
- (g) for the marking or branding for purpose of identification of animals rejected for slaughter as discarded or unwholesome;
- (h) regulating the method of slaughter at slaughter-houses;
- (i) requiring the allotment in markets of separate areas for different classes of articles;
- (j) generally regulating the orderly management and control of markets, slaughter-houses and stock-yards.

(2) No order made by the Commissioner under clause (A) of sub-section (1) shall be valid unless it is approved by the Standing Committee and confirmed by the ²³[State] Government, and no order made by the Commissioner under clause (B) or paragraph (e) of clause (C) of sub-section (1) shall be valid unless it is approved by the Standing Committee.

Posting of standing orders and table of stallages, rents, etc.

467. Posting of standing orders and table of stallages, rents, etc.

A printed copy of the standing orders shall be affixed in a conspicuous place in the municipal office and a printed copy of the table of stallages, rents and fees, if any, in force in any market, slaughter-house or stock-yard under sections 332 and 333 shall be affixed in some conspicuous spot in the market-building, market-place, slaughter-house or stock-yard.

²³ This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

Penalty for breach of rules, by-laws, regulations or standing orders.

468. Penalty for breach of rules, by-laws, regulations or standing orders.

In marketing rules under section 454 or by-laws, regulations or standing orders the ²⁴[State] Government, the Corporation, the Standing Committee, or the Commissioner, as the case may be, may provide that for any breach thereof the offender shall on conviction-

(a) be punished with fine which may extend to five hundred rupees, and in the case of a continuing breach with fine which may extend to twenty rupees for every day during which the breach continues, after conviction for the first breach.

(b) be punished with fine which may extend to twenty rupees for every day during which the breach continues, after receipt of written notice from the Commissioner or any municipal officer duly authorised in that behalf to discontinue the breach.

(c) in addition to the imposition of such fine, be required to remedy the mischief so far as lies in his power.

²⁴ This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.