

ACT NO. XIX OF 1889.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

*(Received the assent of the Governor General on the 13th
December, 1889.)*

An Act to make better provision for Sanitation in Villages in the Central Provinces.

WHEREAS it is expedient to make better provision for sanitation in villages in the Central Provinces; It is hereby enacted as follows:—

1. (1) This Act may be called the Central Provinces Village-sanitation Act, 1889.

Title, extent
and com-
mencement.

(2) It extends to the territories for the time being administered by the Chief Commissioner of the Central Provinces; and

(3) It shall come into force at once.

2. (1) When the sanitary condition of a village containing not less than one hundred inhabited houses and not being a municipality is, in the opinion of the Deputy Commissioner of the district in which the village is situate, such as to be injurious to the health of the inhabitants, he may, by an order in writing, published in such manner as the Local Government may by rule prescribe, declare that the village is in an insanitary state.

Conditions
under which
the provi-
sions of this
Act may be
extended to
a village.

(2) After the publication of the order the Local Government may—

(a) on the application of the mukaddam and ten or more other inhabitants of the village, or,

(b) if no such application is made within three months after the date of the publication of the order, on the application of the Deputy Commissioner,

by

by notification in the official Gazette extend to the village the provisions of this Act from such date as may be specified in the notification.

Election of
village-pan-
cháyat.

3. In every village to which this Act is extended a pancháyat shall be formed, consisting of the mukaddam and such number of representatives of the village-community, not being less than four, as the Local Government may by rule prescribe, who shall be chosen by election from among the inhabitants of the village.

Powers of
the pan-
cháyat.

4. The pancháyat shall, subject to the approval of the Deputy Commissioner, determine the sum which is annually required for the following purposes:—

- (a) the proper cleansing and conservancy of the village ;
- (b) the provision and maintenance of a supply of wholesome water for the inhabitants of the village and their cattle ;
- (c) the maintenance of the roads in the village.

Mode of
raising
funds.

5. (1) The sum determined to be necessary under the last foregoing section shall be raised by the pancháyat by an assessment on the houses and lands within the village with reference to the circumstances of, and property possessed by, the owners or occupiers of such houses and lands.

(2) An assessment shall not be valid until it has been sanctioned by the Local Government.

Powers of
Local Gov-
ernment to
make rules.

6. (1) The Local Government shall make rules—
- (a) defining the limits of villages for the purposes of the Act ;
 - (b) regulating the mode of election and the proceedings of the pancháyats, the term of office of members of a pancháyat and the circumstances under which, and the authority by whom, they may be removed ;
 - (c) limiting the amount of tax and regulating its assessment, realization, safe custody and application,

application and the auditing of the accounts thereof ;

- (d) regulating the village-conservancy and defining and prohibiting public nuisances ; and,
- (e) generally, for giving effect to the purposes of this Act.

(2) The Local Government may, in making such rules, direct that the breach of any provision thereof shall be punished with fine which may extend to ten rupees.

(3) Arrears of taxes imposed under this Act may, subject to the rules, if any, made under this section, be realized by the Deputy Commissioner as arrears of land-revenue.

7. The Local Government may direct that the provisions of this Act shall cease to have operation in any village from a date to be fixed by the Local Government, and may make over any moneys in the hands of the pancháyat to the district council or local board having authority under the Central Provinces Local Self-government Act, 1883.

Withdrawal
of Act.

I of 1883.

8. While the provisions of this Act are in force in any village, the authority of the district council or local board under section 9 of the Central Provinces Local Self-government Act, 1883, shall be suspended in respect of all matters made over to the management of the pancháyat.

Exclusion of
authority of
district coun
cil and local
board.

I of 1883.