

MUNICIPAL CORPORATION OF HYDERABAD ENFORCEMENT OF COMPULSORY VACCINATION BYE-LAWS, 1974

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OF COMPULSORY VACCINATION BYE-LAWS, 1974

1. Short title and commencement :-

- (a) These bye-laws may be called "The Municipal Corporation of Hyderabad Enforcement of Compulsory Vaccination Bye-laws, 1974."
- (b) They shall come into force at once.

2. Definitions :-

- (a) In these bye-laws unless the context otherwise requires
- (i) "Act" means the Hyderabad Municipal Corporations Act, 1955 (Hyderabad Act II of 1956);
- (ii) "Corporation" means the Municipal Corporation of Hyderabad;
- (iii) "Child" means a boy or girl who has not attained the age of eighteen years;

(iv) "Guardian" means any person on whom the care, nature or custody of, any child lies by law or by natural right or recognised usage or who has accepted or assured the care, nature or custody of any child or to whom the care or custody of any child has been entrusted by any lawful authority;

(v) "Parent" means the father or mother of a legitimate child and the mother of an illegitimate child;

(vi) "Person" means a male or female who has attained the age of eighteen years;

(vii) "Unprotected child" means a child who has not been protected from Small Pox by having had that disease naturally or by having been successfully vaccinated or vaccinated within seven years, as the case may be, or who has not been certified in the manner hereinafter provided to be insusceptible to vaccination;

(viii) "Unprotected person" means a person who has no visible marks of Small Pox or who has not been certified in the manner hereinafter provided to be insusceptible to vaccination or is unable to produce satisfactory evidence of successful vaccination or re-vaccination carried out within seven years;

(ix) "Vaccination Depot" includes a place or building where vaccination is performed free of charge by direction of the commissionere; and

(x) "Vaccinator" means any medical practitioner registered under the Medical Registration Act, or any vaccinator or Sanitary Inspector appointed by the Commissioner or the Government.

3. . :-

(i) The parent or guardian of any unprotected child who is less than six months old and who has resided for one month within the limits of the city shall take or cause the child to be taken to a vaccination depot for vaccination or re-vaccination, as the case may be, or shall procure such vaccination by a vaccinator;

(ii) any unprotected person who has resided for one month within the limits of the city shall get himself vaccinated or re-vaccinated, as the case may be, at a vaccination depot or by a vaccinator.

4. . :-

Whenever the residence of an unprotected person or child is

changed from a place within the city to another place either within or without the city, or from a place outside the city to a place within the city such person or the parent or guardian of such child within a week of such change of residence notify the same to the Health Officer or any other officer duly authorised by him in this behalf, furnishing full particulars as to the address of the new residence of the person or child.

5. . :-

The Commissioner, the Health Officer or any person duly authorised by any of them may, if any portion of the city is threatened or infected with Small Pox direct every person or child in the same area who has no visible marks of Small Pox or is unable to produce satisfactory evidence of successful vaccination or re-vaccination carried out within four years, to be vaccinated forthwith.

6. . :-

(i) If a vaccinator finds that an unprotected person or child is not in a fit state of health to be vaccinated, he shall deliver to such person or the parent or guardian of such child as the case may be, a certificate to the effect that the person or child is not then in a fit state for vaccination. Such certificate shall remain in force for the period specified therein not exceeding three months but may be renewed, if necessary. The reason for the unfitness shall be specified in the certificate;

(ii) If a vaccinator finds that an unprotected person or child is in a state of fit health for vaccination he shall forthwith vaccinate such person or child and deliver to such person or the parent or guardian of such child as the date on which the vaccination was done. It will remain in force for the period specified therein not exceeding three months but may be renewed if necessary. The reason for the unfitness shall be specified in the certificate;

(iii) If a vaccinator finds that an unprotected person or child in a state of fit health for vaccination, he shall forthwith vaccinate such person or child and deliver to such person or the parent or guardian of such child, as the case may be, a memorandum stating the date on which the vaccination was performed.

7. . :-

(i) If the inspecting officer finds that the vaccination has been successful, he shall give to such person or the parent or guardian of

such child as the case may be, a certificate to that effect on demand.

(ii) In the event of the vaccination being unsuccessful, the inspecting officer may if he thinks fit, direct that the unprotected person or child shall forthwith be again vaccinated and subsequently inspected as is provided in clause (i) of this bye-law.

8. . :-

If the inspecting officer is of opinion that an unprotected person or child who has been three times unsuccessfully vaccinated is insusceptible to vaccination he shall issue a certificate to that effect.

9. . :-

When an unprotected person or child is vaccinated by a vaccinator not employed by the Corporation, such person or the parent or guardian of such child, as the case may be, shall forward within fifteen days of the date of the vaccination a certificate of successful vaccination from such vaccinator, to the Health Officer or to such person as may be authorised by the Health Officer in this behalf.

10. . :-

The Commissioner or the Health Officer, may cancel any certificate given under these bye-laws, if it is proved to his satisfaction that such certificate has been improperly given or obtained on behalf of any unprotected person or child and thereupon such certificate shall cease to be valid. Notice of such cancellation shall forthwith be given to such unprotected person or the parent or guardian of such unprotected child, as the case may be.

11. . :-

(i) All vaccination shall be done free of charge at the vaccination stations of the Corporation or at the residence of the persons during the course of the visit of the vaccinator;

(ii) Certificates of vaccination shall be issued free of cost if asked for at the time of vaccination.

12. . :-

(i) If the Commissioner, the Health Officer or any person duly authorised by the Commissioner in this behalf has reason to believe that there is an unprotected person or child in any house, he may call upon

(a) such person to be present for inspection between the hours of 6 A.M. to 6 P.M. and to state his age, parentage, place of birth and duration of his residence in the city; or

(b) the parent or guardian of any child in the house to produce all the children in the house under his care for inspection between the hours of 6.A.M to 6 P.M. and to state the age, parentage, place of birth and duration of residence in the city of each of such children.

(ii) The Commissioner, the Health Officer or any person duly authorised by the Commissioner under clause (i) shall;

(a) if he is aware of the existence of any person of child who is unprotected and is fit, for vaccination; or

(b) if, on a requisition under clause (i) any person refuses to be present or any parent or guardian refuses to produce any child under his care for inspection as required by the clause; or

(c) if after inspection it is proved to his satisfaction that any person or child is unprotected and is fit for vaccination; or

(d) if he is acting in pursuance of the powers vested in him under bye-law (4) deliver to such person or the parent or guardian of such child or cause to be affixed to the house of such person or such parent or guardian a notice requiring the person or child, as the case may be, to be vaccinated within 72 hours at a time and place to be specified in the said notice. The person or the parent or guardian to whom such notice is delivered or at whose house it is affixed shall be bound to comply with it unless a certificate is produced from a vaccinator to the effect that such person or child has either been successfully vaccinated already or is unfit for or insuseptible to vaccination.

13. . :-

The provisions contained in by-laws 6 to 12 shall as far as may be, apply to re-vaccination of an unprotected person or child.

14. Penalties :-

Whoever commits a breach of any of the foregoing bye-laws shall be punishable:

(a) with fine which may extend to rupees one hundred and in case of a continuing breach with fine which may extend to rupees ten for every day during which the breach continues, after conviction for the first breach:

(b) With fine which may extend to rupees ten for every day during which the breach continues, after receipt of written notice from the Commissioner or any Medical Officer duly authorised in that behalf to discontinue the breach; and

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