

AS INTRODUCED IN LOK SABHA

**Bill No. 252 of 2016**

**THE MAINTENANCE OF CLEANLINESS BILL, 2016**

By

SHRI MAHEISH GIRRI, M.P.

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**BILL**

*to prohibit littering, spitting and urinating in public places so as to ensure maintenance of clean, hygienic and healthy atmosphere in and around public places and for matters connected therewith.*

BE it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Maintenance of Cleanliness Act, 2016.  
(2) It extends to the Union territories only.  
5 (3) It shall come into force on such date, as the Central Government may, by notification in the Official Gazette, appoint.

Short title,  
extent and  
commencement.

Definitions.	<b>2.</b> In this Act, unless the context otherwise requires:	
	(a) "local authority" includes a municipal committee, corporation or council, by whatever name called, district board, cantonment board or any authority for the time being entrusted by law with the control and administration of any matter within a specified local area;	5
	(b) "litter" means anything which is likely to dirt or cause or contribute to the defilement of the place where it is thrown or left to stink;	
	(c) "public place" means any place to which the general public has, or is entitled or permitted to have, access, with or without payment, and includes roads and highways, streets, lanes, railway stations, hospitals, bank premises, theatres, court premises, race course, circus, music halls, gymnasiums, swimming pools, dancing halls, markets, shopping places, malls, parks, educational institutions and religious places; and	10
	(d) "spitting" includes expectorating.	
Prohibition of spitting, littering, etc. in public place.	<b>3.</b> Notwithstanding anything contained in any other law for the time being in force, the spitting, littering, urinating, defecating, defiling or defacement in any manner whatsoever, in any public place is hereby prohibited.	15
Penalty.	<b>4.</b> Whoever violates the provisions of section 3 shall be punished with fine, which shall not be less than one thousand rupees but which may extend upto ten thousand rupees:	
	Provided that while imposing a fine under this section, the risk of diseases or injury resulting to persons or animals or damage to property shall be taken into consideration by the local authority.	20
Local Authority to collect fine and implement the provisions of this Act.	<b>5.</b> The local authority shall be responsible for the collection of fines under section 4 and implementation of the provisions of this Act.	
Power to make rules.	<b>6.</b> (1) The Central Government may, by notification, make rules for carrying out the purposes of this Act.	25
	(2) Every rule under this Act by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, Parliament agrees in making any modification in the rule or Parliament agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modifications or annulment shall be without prejudice to the validity of anything previously done under that rule.	30
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## STATEMENT OF OBJECTS AND REASONS

Taking cue from the vision set by the Honorable Prime Minister, in the form of "Swachh Bharat Abhiyaan", the present Bill seeks to prohibit certain activities like, spitting, urinating, discarding garbage at public places. The model law that has been implemented by countries like Singapore and United States makes such activities a punishable offence and the result is quite evident and visible. There is need to imbibe the good practices in the general masses and make them aware of the consequences of littering, which usually leads to various diseases.

"Cleanliness is next to godliness"—a phrase that should be the cornerstone of the 21st Century India, in order to make it one of the most beautiful nations and help in making the practices of the public, known worldwide.

Hence this Bill.

NEW DELHI;

MAHEISH GIRRI

*July 6, 2016.*

#### **MEMORANDUM REGARDING DELEGATED LEGISLATION**

Clause 6 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Bill. As the rules will relate to matters of detail only, the delegation of legislative powers is of a normal character.

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