

Water Supply & Drainage and Sewage Disposal

181. Definitions. –

In this Chapter, unless the context otherwise requires, the following words and expressions in relation to water supply shall have the respective meanings given below namely :-

(1) "communication pipe" means :-

(a) where the premises supplied with water abut on the part of the street in which the main is laid, and the service pipe enters those premises otherwise than through the outer wall of a building abutting on the street and has a stopcock placed in those premises and as near to the boundary of that street as is reasonably practicable, so much of the service pipe as lies between the main and that stopcock;

(b) in any other case, so much of the service pipe as lies between the main and the boundary of the street in which the main is laid, and includes the ferrule at the junction of the service pipe with the main, and also -

(i) where the communication pipe ends at a stopcock, that stopcock; and

(ii) any stopcock fitted on the communication pipe between the end thereof and the main;

(2) "main" means a pipe laid by the Corporation for the purpose giving a general supply of water as distinct from a supply to individual consumers and includes any apparatus used in connection with such a pipe;

(3) "service pipe" means so much of any pipe for supplying water from a main to any premises as is subject to water pressure from that main, or would be so subject but for the closing of some tap'

(4) "supply pipe" means so much of any service pipe as is not a communication pipe;

(5) "trunk main" means a main constructed for the purpose of conveying water from a source of supply to a filter or reservoir or from one filter or reservoir to another filter or reservoir, or for the purpose of conveying water in bulk from one part of the limits of supply to another part of those limits. or for the purpose of giving or taking a supply of water in bulk;

(6) "water fitting" includes pipes (other than mains), taps, cocks, vanes, ferrules, meters, cisterns, baths and other similar apparatus used in connection with the supply and use of water.

182. Power to require Corporation to carry out surveys and formulate proposals. -

The Government may require the Corporation to (a) carry out a survey of the existing consumption of and demand for water supplies in the City and of the water resources in or available for the City;

- (b) prepare an estimate of the future water supply requirements of the City;
- (c) carry out a survey of the existing quantity of sewage disposed of and the manner in which it is disposed of;
- (d) formulate proposals as to :
 - i) the existing or future water supply requirements of the City;
 - ii) the existing or future sewage disposal requirements in the city including proposals for the manner in which and the place or places at which such sewage should be carried, treated and disposed of.

183. Power to construct additional works. –

If the Corporation is of opinion that the works and other properties for the time being vested in it for the purpose of water supply, drainage and sewage disposal are inadequate for the purpose of sufficient supply of water or for the purpose of proper drainage and efficient disposal of sewage under this Act, it may take steps in accordance with the provisions of this Act for the construction of additional works, whether within or without the local limits of the Corporation and for the acquisition of additional properties for such works.

184. Functions in relation to water supply. –

- (1) It shall be the duty of the Corporation to take steps from time to time-
 - (a) for ascertaining the sufficiency and wholesomeness of water supplies within the City;
 - (b) for providing a supply of wholesome water in pipes to every part of[the City in which there are houses, for the domestic purposes of the occupants thereof, and for taking the pipes affording that supply such point or points as will enable the houses to be connected there- to at a reasonable cost, so however, that this clause shall not require the Corporation to do anything which is not practicable at a reasonable cost or to provide such supply to any part of the City,, where such a supply is already available at such point or points aforesaid;
 - (c) for providing, as far as possible, a supply of wholesome water other. wise than in pipes to every part of the City in which there are houses, for the domestic purposes of the occupants thereof and which it is not practicable to provide a supply in pipes at a reasonable cost, and in which danger to health arises from the in. sufficiency or unwholesomeness of the existing supply and a public supply is required and can be provided at a reasonable cost, and for securing that such supply is available within a reasonable distance of every house in that part.
- (2) If any question arises under clause (b) of sub-section (1) as to whether anything is or is not practicable at a reasonable cost or as to the point 01 points, to which pipes must be taken in order to enable houses to be connected to them at a reasonable cost, or under clause (c) thereof as so to whether a public supply can be provided at a reasonable cost the Corporation shall determine that question and thereupon the Commissioner shall give effect to that determination.

185. Supply of water to connected premises. –

- (1) The Commissioner may, on application by the owner of any building, arrange for 'supplying water from the nearest main to such building for domestic purposes in such

quantities as he deems reasonable, and may at any time limit the amount of water to be supplied whenever he considers necessary.

(2) No additional charge shall be payable in respect of such supply in any Corporation in which a water tax is levied, but for water supplied in excess of the quantity to which such supply is under sub-section (1) limited, and in any other Corporation for all water supplied under this section payment shall be made at such rate as may be fixed by the Government.

Explanation.-A supply of water for domestic purpose shall not be deemed to include a supply-

(a) for animals or for washing vehicles where such animals or vehicles are kept for sale or hire:

(b) for any trade, manufacture or business;

(c) for fountains, swimming baths, or for any ornamental or mechanical purpose;

(d) for gardens or for purposes of irrigation:

(e) for watering roads and paths;

(f) for building purposes.

186. Power to supply water for non-domestic purposes.-

(1) The Commissioner may supply water for any purpose other than a domestic purpose on such terms and conditions consistent with this Act and the bye-laws made thereunder as may be laid down in this behalf by the Corporation on receiving a written application specifying the purpose for which the supply is required and the quantity likely to be consumed.

(2) The Commissioner may withdraw such supply at any time if it should appear necessary to do so in order to maintain a sufficient supply of water for domestic purposes.

187. Making connections with municipal water works. –

(1) Where an application under section 185 or section 186 has been received, all necessary communication pipes and fitting shall be supplied by the Corporation and the work of laying and applying such communication pipes and fittings shall be executed by Corporation agency under the orders of the Commissioner; but the cost of making any such connection and of all communication pipes and fitting so supplied and of all works so executed, shall be paid by the owner or the person making such application. The Corporation may either provide a meter and charge rent for the same or may require the owner or applicant to provide a meter of such size, material and description as it shall approve.

(2) Notwithstanding anything in sub-section (1), the Commissioner may require any owner or person applying for a supply of water to provide all communication pipes and fittings and to carry out at his own cost under his supervision and inspection all the work of laying and applying such communication pipes and fitting.

188. Obligation of owner or occupier to give notice of waste of water:-

Any owner or occupier of any building or land. in or on which water supplied under this Act is misused from negligence or other circumstances under his control, or used without permission in excess of the quantity fixed under section 185 or section 186, or in which the pipes, mains or other works are out of repair to such an extent as to cause waste of water, shall, if he has knowledge thereof, be bound to give notice of the same to such officer as the Corporation may appoint in this behalf.

189. Cutting of supply to premises. –

If any person whose premises are supplied with water, neglects to pay the water-tax or any sum payable, under section 185 or section 186 when due, or to give notice as provided in the last preceding section or will fully or negligently misuses or causes waste of water, the corporation may cut off the supply of water from the said premises.

190. New premises not to be occupied without arrangement for water supply. –

It shall not be lawful for the owner of any premises which may be newly constructed or reconstructed within any portion of the City, in respect of which the Commissioner has given public notice under clause (b) of sub-section (1) of section 92 to occupy it or cause or permit it to be occupied until he has obtained a certificate from the Commissioner that there is provided within, or within a reasonable distance of, the premises such supply of wholesome water as appears to the Commissioner to be adequate for the person who may occupy, or be employed in such premises for their domestic purposes.

191. Public gratuitous water supply. –

(1) The Commissioner, with the approval of the Corporation, may provide gratuitous supply of wholesome water to the public within the City and may, for that purpose, erect public hydrants or other conveniences.

(1) The Commissioner, may, with like approval, close a public hydrant or other convenience when it is no longer required for the supply of wholesome water to the public.

192. Power to lay mains. –

(1) The Commissioner may lay a main whether Within or Without the local limits of the Corporation-

(a) in any street; and

(b) with the consent of every owner and occupier of any land not forming part of a street, in, over or on that land, and may. from time. inspect, repair, alter or renew or may at any time remove any main so laid whether by virtue of this section or otherwise:

Provided that where a consent required for the purpose of this sub-section is withheld, the Commissioner may, after giving the owner or occupier of the land a written notice of his intention so to do, lay the main in, over or on that land even without such consent.

(2) Where the Commissioner, in exercise of the powers under this section lays a main in, over or on any land not forming part of a street or inspects, repairs, alters, renews or

removes a main so laid down in, over or on any such land, he shall pay compensation to every person interested in that land for any damage done to, or injurious affection of that land by reasons of the inspection, laying, repair, alteration, renewal or removal of the main.

193. Power to lay service pipes etc. –

(1) The Commissioner may, in any street, whether within or without the local limits of the Corporation, lay such service pipes with such stopcocks and other water fitting as he may deem necessary for supplying water to premises and may, from time to time, inspect, repair, alter or renew and may, at any time, remove any service pipe laid in a street whether by virtue of this section or otherwise.

(2) Where a service pipe has been lawfully laid in, over or on the land not forming part of a street, the Commissioner may from time to time enter upon that land and inspect, repair, alter, renew or remove the pipe or lay a new pipe in substitution thereof but shall pay compensation for any damage done in the course of such action.

194. Provision of fire hydrants. –

(1) The Commissioner shall fix hydrants on water mains (other than trunk mains) at such places as may be most convenient for affording supply of water for extinguishing any fire which may break out and shall keep in good order and from time to time renew every such hydrant.

(2) To denote the situation of every hydrant placed under this section, letters, marks or figures shall be displayed prominently on some wall, building or other structure near such hydrant.

(3) As soon as any such hydrant is completed, the Commissioner shall deposit a key thereof at each place where a public fire engine is kept and in such other places as he deems necessary.

(4) The Commissioner may, at the request and expense of the owner or occupier of any factory, workshop, trade premises or place of business, situated in or near a street in which a pipe is laid (and not being a trunk main and being of sufficient dimensions to carry a hydrant), fix on the pipe and keep in good order and from time to time to renew one or more fire hydrants, to be used only for extinguishing fires as near as conveniently may be to that factory, workshop, trade, premises or place of business.

(5) The Commissioner shall allow all persons to take water for extinguishing fires from any pipe on which a hydrant is fixed without any payment.

195. Power of Corporation to require owners of premises to set up pumps, etc, -

The owner of every premises connected with the municipal water works shall, when so required by the Commissioner, set up electric pumps or other contrivances whereby water may be caused to reach to the top of the topmost storey of such premises.

196. Power to enter premises to detect waste or misuse of water. –

The Commissioner or any Corporation officer authorised by the Commissioner in writing may, between sunrise and sunset; enter any premises supplied with water by the Corporation in order to examine if there be any waste or misuse of such water and the Commissioner or such officer shall not be refused admittance to the premises nor shall be obstructed by any person in making his examination.

197. Power to test water fittings. –

The Commissioner may test any water fitting used in connection with water supplied by the Corporation.

198. Power to close or restrict use of water from polluted source of supply. –

(1) If the Commissioner is of opinion that the water in or obtained from any well, tank or other source of supply not vested in the Corporation, being water which is or is likely to be used for domestic purposes, or for the preparation of food or drink for human consumption, or is likely to become so polluted as to be prejudicial to health the Commissioner may after giving the owner or occupier of the premises in which the source of supply is situated a reasonable opportunity of being heard, by order, direct that the source of supply be permanently or temporarily closed or cut off or the water therefrom be used for certain purposes only or make such order as appears to him necessary to prevent injury or danger to the health of persons using the water or consuming food or drink prepared therewith or therefrom.

(2) Before making any order under this section, the Commissioner may cause the water to be analysed at the cost of the Corporation.

(3) If the person to whom an order is made under this section fails to comply therewith, the Commissioner may do whatever may be necessary for giving effect to the order, and any expenses reasonably incurred by him in so doing may be recovered by him from the person in default as an arrear of tax under this Act.

199. Water pipes etc., not to be placed where water will be polluted. –

(1) No water pipes shall be laid in a drain or on the surface of an open channel or house gully or within six meters of a cesspool or in any position where the pipe is likely to be injured or the water therein polluted: and no well or tank and except with the consent of the Commissioner, no cistern shall be constructed within six meters of a latrine or cesspool.

(2) No latrine or cesspool shall be constructed or made within six meters of any well, tank, water pipe or cistern or in any position where the pipe, well, tank or cistern is likely to be injured or the water therein polluted.

200. Joint and several liability of owners and occupiers for offence in relation to water supply. –

If any offence relating to water supply is committed under this Act on any premises connected with the municipal water works, the owner, the person primarily liable for the

payment of the water tax, and the occupiers of the said premises shall be jointly and severely liable for such offence.

201. Public drains etc. to vest in Corporation. –

(1) All public drains, all drains in, alongside or under any public street, and all sewage disposal works whether constructed out of the Corporation Fund or otherwise, and all works, material and things appertaining thereto, Which are situated in the City shall vest in the Corporation.

(2) All public and other drains which are vested in the Corporation are hereafter in this Act referred to as municipal drains.

(3) For the purposes of enlarging, deepening or otherwise repairing or maintaining any such drain or sewage disposal work so much of the sub-soft' disposal work so much of the sub-soft appertaining thereto as may be necessary for the said purposes shall be deemed also to vest in the Corporation.

(4) All drains and ventilation-shafts, pipes and all appliances and fittings connected with the drainage works constructed, erected or set up out of the Corporation Fund in or upon premises not belonging to the Corporation, whether-

(a) before or after the commencement of this Act, and

(b) for the use of the owner or occupier of such premises or not, shall unless the Corporation has otherwise determined, or does at any time otherwise determine, vest and be deemed always to have vested in the Corporation.

202, Control of drains and sewage disposal works. –

(1) All municipal drains all sewage disposal works and works, materials and things appertaining thereto shall be under the control of the Commissioner.

(2) The Commissioner shall maintain and keep in repair all municipal drains and sewage disposal works and when authorised by the Corporation in this behalf, shall construct as many new drains and sewage disposal works as may from time to time be necessary for effectual drainage and sewage disposal.

203. Certain matters not to be passed into municipal drains. –

(1) No person shall throw, empty, return into any municipal drain or into any drain communicating with a municipal drain

(a) any matter likely to injure the drain or to interfere with the free flow of its contents, or to affect prejudicially the treatment and disposal of its contents; or

(b) any chemical, refuse or waste steam, or any liquid of a temperature higher than forty-five degrees centigrade being refuse or steam which or a liquid which when so heated, is either alone or in combination with the contents of the drain, dangerous or the cause of a nuisance, or prejudicial to health; or

(c) any dangerous petroleum.

(2) In this section, the expression "dangerous petroleum" has the same meaning as in the Petroleum Act, 1934.

204. Application by owners and occupiers to drain into municipal drains. - (1)

Subject to such conditions as may be prescribed by bye-laws made in this behalf, the owner or occupier of any premises having a private drain, or the owner of any private drain within the City may apply to the Commissioner to have his drain made to communicate with the municipal drains and thereby to discharge foul water and surface water from those premises or that private drain:

Provided that nothing in this sub-section shall entitle any person to discharge directly or indirectly into any municipal drain

(i) any trade effluent from any trade premises, except in accordance with bye-laws made in this behalf; or

(ii) any liquid or other matter the discharge of which into municipal drains is prohibited by or under this Act or any other law; or

(b) where separate municipal drains are provided for foul water and for surface water, to discharge directly or indirectly-

(i) foul water into a drain provided for surface water; or

(ii) except with the permission of the Commissioner, surface water into drain provided for foul water; or

(c) to have his drains made to communicate directly with a storm-water overflow drain.

(2) Any person desirous of availing himself of the provisions of sub-section (1) shall give to the Commissioner notice of his proposals, and at any time within one month after receipt thereof the Commissioner may by notice to him refuse to permit the communication to be made, if it appears to him that the mode of construction or condition of the drain is such that the making of the communication would be prejudicial to the drainage system, and for the purpose of examining the mode of construction and condition of the drain he may, if necessary, require it to be laid open for inspection.

(3) The Commissioner may, if he thinks fit, construct such part of the work necessary for having a private drain made to communicate with a municipal drain as is in or under a public street and in such a case, the expenses incurred by the Commissioner shall be paid by the owner or occupier of the premises, or as the case may be, the owner of the private drain and shall be recoverable from the owner or occupier as an arrear of tax under this Act.

205. Drainage of un-drained premises. _

(1) Where any premises are in the opinion of the Commissioner, without sufficient means of effectual drainage and a municipal drain or some place approved by the Commissioner for the discharge of fifth and other polluted and obnoxious matter is situated at a distance of not exceeding thirty metres from any part of the said premises, he may, by written notice, require the owner of the said premises-

(a) to make a drain emptying into such municipal drain or place;

(b) to provide and set up all such appliances and fittings as may appear to the Commissioner necessary for the purpose of gathering and receiving the filth and other

polluted and obnoxious matter from, and conveying the same off, the said premises and of effectually flushing such drain and every fixture connected therewith;

(c) to remove any existing drain or other appliance or thing used or intended to be used for drainage which is injurious to health;

(d) to provide a close drain in substitution of an open drain or to provide such other appliance or thing either newly or in substitution of any existing appliance or thing or to provide both a closed drain and

such other appliance or thing in substitution of the existing open drain and other appliance or thing, which is or is likely to be injurious to health;

(e) to provide a set up all such appliances and fittings as may appear to the Commissioner to be necessary for the purpose of gathering and receiving the waste water from floors and galleries of buildings when they are washed and conveying the same through spouts, by down take pipes so as to prevent such waste water from discharging directly on streets or inside any lower portion of the premises;

(f) to carry out any work to improve or re-model an existing drain which is inadequate, insufficient or faulty.

(2) Where in any case not provided for in sub-section (1) any premises are in the opinion of the Commissioner, without sufficient means of effectual drainage he may, by written notice, require the owner of the premises

(a) to construct a drain upto a point to be prescribed in such notice but not at a distance of more than thirty metres from any part of the premises; or

(b) to construct a close cesspool or soakage pit and drain or drains emptying into such cesspool or soakage pit.

(3) Any requisition for the construction of any drain under sub-section (2) may contain any of the details specified in sub-section (1).

206. New premises not to be erected without drainage. –

It shall not be lawful to erect or to re-erect any premises in the City or to occupy any such premises unless-

(a) a drain be constructed of such size, materials, and descriptions at such level and with such fall as shall appear to the Commissioner to be necessary for the effectual drainage of such premises;

(b) there have been provided and set up on such premises, such appliances and fittings as may appear to the Commissioner to be necessary for the purposes of gathering or receiving the filth and other polluted and obnoxious matter from, and conveying the same off, the said premises and of effectually flushing the drain of the said premises and every fixture connected therewith.

(2) The drain so constructed shall empty into a municipal drain situated at a distance of not exceeding thirty metres from the premises; but if no municipal drain is situated within that distance then such drain shall empty into a cesspool situated within that distance to be specified by the Commissioner for the purpose.

207. Power to drain group or block of premises by combined operation. –

(1) If it appears to the Commissioner that any group or block of premises may be drained more economically or advantageously in combination than separately, and a municipal drain of sufficient size already exists or is about to be constructed within thirty metres of any part of that group or block of premises, the Commissioner may cause that group or block of premises to be drained by a combined operation.

(2) The expenses incurred in carrying out any work under sub-section (1) in respect of 'any group or block of premises shall be paid by the owners of such premises in such proportion as the Commissioner may determine and shall be recoverable from them as an arrear of tax under this Act.

(3) Not less than fifteen days before any such work is commenced, the Commissioner shall give to each such owner-

- (a) written notice of the nature of the proposed work, and
- (b) an estimate of the expenses to be incurred in respect thereof and of the proportion of such expenses payable by him.

(4) The Commissioner may require the owners of such group or block of premises to maintain the work executed under this section

208. Power of Commissioner to close or limit the use of private drain in certain cases. -

Where a drain connecting any premises with a municipal drain is sufficient for the effectual drainage of such premises and is otherwise unobjectionable but is not in the opinion of the Commissioner, adapted to the general system of drainage in the City, he may, by written notice addressed to the owner of the premises, direct

- (a) that such drain be closed, discontinued or destroyed and that any work necessary for that purpose be done; or
- (b) that such drain shall, from such date as may be specified in the notice in this behalf, be used for filth and polluted water only Or for rain water and unpolluted sub-oil water only:

Provided that-

- (1) no drain may be closed, discontinued or destroyed by the Commissioner under clause (a) except on condition of his providing another drain equally effectual for the drainage of the premises and communicating with any municipal drain which he thinks fit; and
- (il) The expenses of the construction of any drain so provided by the Corporation and of any work done under clause (a) may be paid out of the Corporation Fund.

209. Use of drain by a person other than owner. –

(1) Where the Commissioner either on receipt of an application from the owner of any premises or otherwise is of opinion that the only or the most convenient means of effectual drainage of the premises into a municipal drain is through a drain belonging to another person, the Commissioner may, by notice in writing, require the owner of such drain to show cause within a period specified in the notice as to why an order under this section should not be made.

(2) Where no cause is shown within the specified period or the cause shown appears to the Commissioner invalid or insufficient, the Commissioner may, by order in writing, either authorise the owner of the premises to use the drain or declare him to be joint owner thereof,

(3) An order made under sub-section (2) may contain directions as to

(a) the payment of rent or compensation by the owner of the premises;

(b) the construction a drain for the premises for the purpose of connecting with the aforesaid drain;

(c) the entry upon the land in which the aforesaid drain is situated with assistants and workmen at all reasonable hours; and

(d) the respective responsibilities of the parties for maintaining, repairing, flushing, cleaning and emptying the aforesaid drain.

210. Sewage and rain water drains to be distinct. –

Whenever it is provided in this Chapter that steps shall or may be taken for the effectual drainage of any premises, it shall be competent for the Commissioner to require that there shall be one drain for filth and polluted water and an entirely distinct drain for rain water and unpolluted sub-soil water or both rain water and unpolluted sub-soil water, each emptying into separate municipal drains or other suitable places.

211. Powers of Commissioner to require owner to carry out certain works for satisfactory drainage. -

For the purpose of efficient drainage of any premises, the Commissioner may by notice in writing-

(a) require any courtyard, alley or passage between two or more buildings to be paved by the owner or owners of such buildings, with such materials and in such manner as may be approved by the Commissioner, and

(b) require such paving to be kept in proper repair.

212. Appointment of places for the emptying of drains and disposal of sewage. –

The Commissioner may cause any or all of the municipal drains to empty into, and all sewage to be disposed of at such place or places as he consider suitable:

Provided that no place which has been not before the commencement of this Act used for any of the purposes specified in this section shall after such commencement be used therefor without the approval of the Corporation:

Provided further that on and after such date as may be appointed by the Government in this behalf no sewage shall be discharged into any water-course until it has been so treated as not to effect prejudicially the purity and quality of the water into which it is discharged.

213. Connection with waterworks and drains not to be made without permission. -

Without the written permission of Commissioner, no person shall for any purpose whatsoever, at any time make or cause to be made any connection or communication with any drain referred to in section 202 or any water-works, constructed or maintained by, or vested in the Corporation.

214. Buildings, railways and private streets not to be erected or constructed over drains or water-works without permission. –

(1) Without the written permission of the Commissioner no railway or private street shall be constructed and no building, wall, fence or other structure shall be erected on any municipal drain or on any water-works constructed or maintained by, or vested in, the Corporation.

(2) If any railway or private street be constructed or any building, Wall, fence or structure erected on any drain or water works as aforesaid without the written permission of the Commissioner, the Commissioner may remove or otherwise deal with the same as he may think fit.

(3) The expenses incurred by the Commissioner in so doing shall be paid by the owner of the private street or of the building, fence, wall or other structure or, as the case may be, the railway administration or the person offending and shall be recoverable as an arrear of tax under this Act.

215. Rights of user of property for aqueducts, lines etc. –

(1) The Commissioner may place and maintain aqueducts, conduits and lines of mains or pipes or drains over, under, along or across any immovable property whether within or without the local limits of the City, without acquiring the same, and may at any time for the purpose of examining, repairing, altering or removing any aqueducts, conduits or lives of mains or pipes, or drains, after giving a reasonable notice of his intention so to do, enter on any property over, under, along or across which the aqueducts, conduits or lives of mains or pipes or drains have been placed:

Provided that the Corporation shall not acquire any right other than a right of user in the property over, under, along or across which any aqueduct, conduit or line of mains or pipes, or drain is placed.

(2) The powers conferred by sub-section (1) shall not be exercisable in respect of any property vested in the Government or under the control, or management of the Government or railway administration or vested in any local authority save with the permission of the Government or railway administration or the local authority as the case may be, and in accordance with any bye-law made in this behalf:

Provided that the Commissioner may, without such permission, repair, renew or amend any existing works of which the character or position is not to be altered if such repair, renewal or amendment is urgently necessary in order to maintain without interruption the supply of water, drainage or disposal of sewage or is such that delay would be dangerous to health, human life or property.

(3) In the exercise of the powers conferred upon him by this section, the Commissioner shall cause as little damage and inconvenience as may be possible, and shall make full compensation for any damage or inconvenience caused by him.

216. Power of owner of premises to place pipes and drains through land belonging to other persons, _

(1) If it appears to the Commissioner that the only or most convenient means of water-supply to, and drainage of, any premises is by placing or carrying any pipe or drain over, under, along or across the immovable property of another person, the Commissioner may, by order in writing, authorise the owner of the premises to place on carry such pipe or drain over, under, along or across such immovable property:

Provided that before making any such order the Commissioner shall give to the owner of the immovable property a reasonable opportunity of showing cause within such time as may be prescribed by bye-laws made in this behalf as to why the order should not be made:

Provided further that the owner of the premises shall not acquire any right other than a right of user in the property over, under, along or across which any such pipe or drain is placed or carried.

(2) Upon the making of an order under sub-section (1) the owner of the premises may, after giving reasonable notice of his intention so to do, enter upon the immovable property with assistants and workmen at any time between sunrise and sunset for the purpose of placing a pipe or drain over, under, along or across such immovable property or for the purpose of repairing the same.

(3) In placing or carrying a pipe or drain under this section, as little damage as possible shall be done to the immovable property and the owner of the premises shall -

(a) cause the pipe or drain to be placed or carried with the least practicable delay;

(b) fill in, reinstate and make at his own cost and with the least practicable delay, any land opened, broken up or removed for the purpose of placing or carrying such pipe or drain: and

(c) pay compensation to the owner of the immovable property and to any other person who sustains damage by reason of the placing or carrying of such pipe or drain.

(4) If the owner of the immovable property, over, under, along or across which a pipe or drain has been placed or carried under this section whilst such immovable property was not built upon desires to erect any building on such property, the Commissioner shall by notice in writing, require the owner of the premises to close, remove or divert the pipe or drain in such manner as shall be approved by him and to fill in, reinstate and make good the immovable property as if the pipe or drain had not been placed or carried over, under, along or across the same:

Provided that no such requisition shall be made unless in the opinion of the Commissioner it is necessary or expedient for the construction of the proposed building or the safe enjoyment thereof that the pipe or drain should be closed, removed or diverted.

217. Railway administration to be informed in certain cases. –

If the Corporation desires to place or carry any pipe or drain or do any other work connected with the water-supply or drainage across any railway line it shall inform the railway administration who may execute the same at the cost of the Corporation.

218. Power of commissioner to execute work after giving notice to the person liable.

(1) When under the provisions of this Chapter any person may be required or is liable to execute any work, the Commissioner may, in accordance with the provisions of this Act and of any bye.-laws made in this behalf, cause such work to be executed after giving such person an opportunity of executing the same within such time as may be specified by him for this purpose.

(2) The expenses incurred or likely to be incurred by the Commissioner in the execution of any such work shall be payable by the said person and the expenses incurred by the Commissioner in connection with the maintenance of such work or the enjoyment of amenities and conveniences rendered possible by such work shall be payable by the person or persons enjoying such amenities and conveniences

(3) The expenses referred to in sub-section (2) shall be recoverable from the person or persons liable thereof as an arrear of tax under this Act.

219. Power of Commissioner to affix shafts etc., for ventilation of drain or, cesspool.

For the purpose of ventilating any drain or cesspool, whether vested in the Corporation or not, the Commissioner may, in accordance with bye-laws made in this behalf, erect upon any premises or affix to the outside of any building or to any tree any such shaft or pipe as may appear to him to be necessary.

220. Power of Commissioner to examine and test drain etc., believed to be defective.

(1) Where it appears to the Commissioner that there are reasonable grounds for believing that a private drain or cesspool is in such condition as to be prejudicial to health or a nuisance or that a private drain communicating directly or indirectly with a municipal drain is so defective as to admit sub-soil water; he may examine its condition and for that purposes may apply any test other than a test by water under pressure, and if he deems it necessary, open the ground.

(2) If on examination the drain or cesspool is found to be in proper condition, the Commissioner shall as soon as possible reinstate any ground which has been opened by him and make good any damage done by him.

221. Employment of Government agencies for repairs, etc. –

The Government may, for reasons to be recorded, direct that any specified work repair, renewal or replacement which is to be undertaken by or for the Corporation under this Chapter, shall be carried out on behalf of the Corporation by the Government and the Corporation shall pay the charges therefor at the rates and subject to the terms for the time being applicable in the case of works constructed by the Government on behalf of a local authority.

222, Work to be done by licensed plumber. –

(1) No person other than a licensed plumber shall execute any work described in this Chapter and no person shall permit any such work to be executed except by a licensed plumber:

Provided that if, in the opinion of the Commissioner, the work is of a trivial nature, he may grant permission in writing for the execution of such work by a person other than a licensed plumber.

(2) Every person who employs a licensed plumber to execute any work shall, when so required, furnish to the Commissioner the name of such plumber.

(3) When any work is executed except in accordance with the sub-section (1), such work shall be liable to be dismantled at the discretion of the Commissioner without prejudice to the right of the Corporation to prosecute under this Act the person at whose instance such work has been executed.

(4) The Corporation may make bye-laws for the guidance of licensed plumbers and a copy of all such bye-laws shall be attached to every licence granted to a plumber by the Corporation.

(5) The Corporation may, from time to time, prescribe the charges to be paid to licensed plumbers for any work done by them under or for any of the purposes of this Chapter.

(6) No licensed plumber shall, for any work referred to in sub-section (5) demand or receive more than the charges prescribed therefor, under that sub- section.

(7) The Corporation shall make bye-laws providing for -

(a) the exercise of adequate control on all licensed plumbers;

(b) the inspection of all works carried out by them; and

(c) the hearing and disposal of complaints made by the owners or occupiers of premises with regard to the quality of work done, material used delay in execution of work, and the charges made, by a licensed plumber.

(8) No licensed plumber shall contravene any of the bye-laws made under section or execute carelessly or negligently any work under this Act or make use of bad materials, appliances or fittings.

(9) If any licensed plumber contravenes sub-section (8), his licence may be suspended or cancelled whether he is prosecuted under this Act or not,

223. Prohibition of certain acts. - (1) No person shall –

(b) wilfully obstruct any person acting, under the authority of the Corporation or the Commissioner, in setting out the lines of any works or pull up or remove any pillar, post or stake fixed in the ground for the purpose of setting out lines of such work, or deface or destroy any works made for the same purpose; or

(c) unlawfully obstruct the flow of or flush draw off, or divert, or take water from any water-works belonging to the Corporation or any water course by which any such water work is supplied; or

(d) unlawfully obstruct the flow of, or flush, draw off, divert or take sewage from any sewage work belonging to the Corporation or break or damage any electrical transmission

line maintained by the Corporation; or

(e) Obstruct any officer or other employee of the Corporation in the discharge of his duties under this Chapter or refuse or wilfully neglect to furnish him with the means necessary for the making of any entry, inspection, examination or inquiry thereunder in relation to any water or sewage work; or

(f) bathe in, at or upon any water work or wash or throw or cause to enter therein any animal, or throw any rubbish, dirt, filth into any water-work or wash or clean therein any cloth, wool or leather or the skin of any animal, or cause the water of any sink or drain or any steam-engine or boiler or any polluted water to turn or be brought into any water-work, or do any other act whereby the water in any water-work is fouled or likely to be fouled.

(2) Nothing in clause (b) of sub-section (1) shall apply to a consumer closing the stopcock fixed on the service pipe supplying water to his premises so long as he has obtained the consent of any other consumer whose Supply will be affected thereby.