

## CHAPTER XIII WATER SUPPLY

### Construction and maintenance of municipal water-works

#### Water supply

#### **189. Water supply.**

(1) When the Commissioner has given public notice under clause (b) of sub-section (1) of section 130 that the Corporation has arranged to supply water to any portion of the City from municipal water works by means of private water connections or of public stand-posts or by any other means, it shall be incumbent on him to take all such measures as may be practicable to ensure that a sufficient supply is available for meeting the reasonable requirements of the resident of such portion of the City.

(2) For the purposes of carrying out the obligation imposed by sub-section (1) and of providing the City with a supply of water proper and sufficient for public and private purposes, the Commissioner may with the approval of the Corporation.

(a) construct, maintain in good repair, alter, improve and extend water works either within or without the City, and do any other necessary acts;

(b) purchase or take on lease any water-work or any water or right to store or to take and convey water either within or without the City;

(c) enter into an arrangement with any person for a supply of water.

(3) All municipal water-works shall be managed by the Commissioner.

#### Inspection of municipal water-works by persons appointed by [State] Government.

#### **190. Inspection of municipal water-works by persons appointed by <sup>1</sup>[State] Government.**

Any person appointed by the <sup>2</sup>[State] Government in this behalf shall at all reasonable times have liberty to enter upon and inspect any municipal water-work.

#### Power of access to municipal water-works

#### **191. Power of access to municipal water-works.**

The Commissioner and any person appointed by the <sup>3</sup>[State] Government under section 190 in this behalf may, for the purpose of inspecting or repairing or executing any work in, upon or in connection with any municipal water-works, at all reasonable times-

(a) enter upon and pass through any land, within or without the City, adjacent to or in the vicinity of such water-works, in whomsoever such land may vest;

(b) cause to be conveyed into and through any such land all necessary men, materials, tools and implements.

#### Power of carrying water-mains, etc.

#### **192. Power of carrying water-mains, etc.**

(1) For the purpose of carrying, renewing and repairing water-mains, pipes and ducts within or without the City, the Commissioner shall have the same powers and be subject to the same restrictions as he has and is subject to under the provisions hereinbefore contained for carrying, renewing and repairing drains within the City.

<sup>1</sup> This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.

<sup>2</sup> Same as 1.

<sup>3</sup> Same as 1.

(2) This section shall apply in respect of carrying, renewing and

repairing private water-mains, pipes and ducts as it applies in respect of carrying, renewing and repairing municipal water-mains, pipes and ducts.

**Fire-hydrants to be provided**

**193. Fire-hydrants to be provided.**

The Commissioner shall cause fire-hydrants and all necessary works, machinery and assistance for supplying water in case of fire to be provided and maintained and shall have painted or marked on the buildings and walls or in some other conspicuous manner, within the streets, words or marks near to such hydrants to denote the situation thereof, and shall cause a hydrant key to be deposited at each place within the City where a municipal fire engine is kept, and do such other things for the purpose aforesaid as he shall deem expedient.

**Prohibition of certain acts affecting the municipal water-works.**

**194. Prohibition of certain acts affecting the municipal water-works.**

(1) Except with the permission of the Corporation, no person shall-

(a) erect any building for any purpose whatever on any part of such area as shall be demarcated by the Commissioner surrounding any lake, tank, well or reservoir from which a supply of water is derived for a municipal waterwork;

(b) remove, alter, injure, damage or in any way interfere with the demarcation works of the area aforesaid;

(c) extend, alter or apply to any purpose different to that to which the same has been heretofore applied, any building already existing within the area aforesaid; or

(d) carry on, within the area aforesaid, any operation of manufacture trade or agriculture in any manner, or do any act whatever, whereby injury may arise to any such lake, tank, well or reservoir or to any portion thereof or whereby the water of any such lake, tank, well or reservoir may be fouled or rendered less wholesome.

(2) Except as hereinafter provided, no person shall -

(a) cause or suffer to percolate or drain into or upon any municipal waterwork or to be brought there into or thereupon anything, or to be done any act, whereby the water therein may be in any way fouled or polluted or its quality altered;

(b) alter the surface of any municipal land adjacent to or forming part of any such work by digging there into or depositing thereon any substance;

(c) cause or suffer to enter into the water in such work any animal;

(d) throw or put anything into or upon the water in such work;

(e) bathe in or near such work; or

(f) wash or cause to be washed in or near such work any animal or thing.

**Buildings, etc. not to be erected over municipal water-main without permission.**

**195. Buildings, etc. not to be erected over municipal water-main without permission.**

(1) Without the written permission of the Commissioner, no building, wall or structure of any kind shall be newly erected or re-erected and no street or minor railway shall be constructed, over any municipal water-main.

(2) If any building, wall or structure be so erected or re-erected or any street or minor railway be so constructed, the Commissioner may, with the approval of the Standing Committee, cause the same to be

removed or otherwise dealt with as to him shall appear fit, and the expenses thereby incurred shall be paid by the person offending.

#### **Public Gratuitous Water-Supply**

#### **196. Vesting of public drinking fountains, etc. in the Corporation**

**Vesting of public drinking fountains, etc. in the Corporation**

(1) All existing public drinking fountains, tanks, reservoirs, cisterns, pumps, wells, ducts and works for the supply of water for the gratuitous use of the inhabitants of the City shall vest in the Corporation and be under the control of the Commissioner.

(2) The Commissioner may maintain the said works and provided them with water, and when authorised by the Corporation in this behalf may construct any other such works for supplying water for the gratuitous use of the inhabitants of the City :

Provided that water carried away by any of the inhabitants from any such work shall be taken only for personal or domestic purposes and not for the purpose of business or sale and shall not, except with the written permission of the Commissioner, be carried away in a cask, cart, pakhal or masak.

(3) The Commissioner may temporarily, and with the approval of the Corporation permanently close any of the said works either entirely or partially.

(4) If any such work is permanently closed either entirely or partially by the Commissioner the site thereof, or of the portion thereof which is so closed, and the materials of the same may be disposed of as the property of the Corporation :

Provided that if any such work which is permanently closed, either entirely or partially, was a gift to the public by some private person, the said site and materials or the proceeds of the sale thereof shall, unless by reason of their value being insignificant or for other sufficient reason the Corporation thinks fit to direct otherwise, be applied to or towards some local work of public utility bearing the name of such person, or to or towards any such local work which shall be approved by the Corporation and by the heirs or other representatives, if any, of the said person.

**Public drinking fountains, etc. may be set apart for particular purposes.**

#### **197. Public drinking fountains, etc. may be set apart for particular purposes.**

(1) The Commissioner may assign and set apart each of the said works and the water therein for use by public for such purpose only as he shall think fit, and shall cause to be indicated, by a notice affixed on a conspicuous spot on or near each such work. the purpose for which the same is so assigned and set apart.

(2) No person shall make use of any such work or of any water therein for any purpose other than the purpose for which the same has been so assigned or set apart.

#### **Private Water Supply**

**Conditions as to use of water not to be contravened.**

#### **198. Conditions as to use of water not to be contravened.**

No person to whom water is supplied by measurement or according to the size of the connection or on payment of a fixed periodical sum shall contravene any condition prescribed under sub-section (2) of section 134 for the use of such water, or permit any such condition to be contravened.

<p><b>Water pipes etc. not to be placed where water will be polluted.</b></p>	<p><b>199. Water pipes etc. not to be placed where water will be polluted.</b> No water-pipes shall be laid in a drain or on the surface of an open channel or house-gully or within twenty feet 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 twenty feet of a privy, water-closet or cesspool.</p>
<p><b>Prohibition of fraudulently and unauthorised use of water.</b></p>	<p><b>200. Prohibition of fraudulently and unauthorised use of water.</b> (1) No person shall fraudulently dispose of any water supplied to him by the Corporation. (2) No person to whom a private supply of water is furnished by the Corporation shall, except when the water supplied is charged for by measurement, permit any person who does not reside on premises in respect of which water tax is paid to carry away water from the premises to which it is supplied. (3) No person who does not reside on premises in respect of which water-tax is paid shall carry away water from any premises to which a private supply is furnished by the Corporation, unless, in any case in which such supply is charged for by measurement, he does so with the permission of the person to whom such supply is furnished.</p>
<p><b>Power to supply water without the City.</b></p>	<p style="text-align: center;"><b>General</b></p> <p><b>201. Power to supply water without the City.</b> The Commissioner may supply water from a municipal water work to any local authority or person without the City on such terms as to payment and as to the period and conditions of supply as shall be, either generally or specially, approved by the Corporation.</p>