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## Port Blair Municipal Council Water Supply Bye-laws, 2015

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**ANDAMAN & NICOBAR ADMINISTRATION  
SECRETARIAT**

**NOTIFICATION**

Port Blair, dated the 5<sup>th</sup> June, 2017

No. 84/2017/F. No. 3-53/2016-UD-I.— Whereas, a Press Release inviting Objection and Suggestion for Water Bye-laws under Section 202 of Andaman & Nicobar Islands (Municipal) Regulation, 1994 was published in 'The Daily Telegrams' vide Press Release No. 3-53/2016-UD-I dated 19.12.2016 for information of general public.

And, whereas, the Objections / Suggestions received from the general public within the specified period have been examined with due consideration.

Now, therefore, in exercise of powers conferred under Section 202 of Andaman & Nicobar Islands (Municipal) Regulation, 1994, the Lieutenant Governor, Andaman & Nicobar Islands has been pleased to confirm the 'Port Blair Municipal Council', Water Bye-laws, 2017 namely;

**1. Short Title:**

- i) These Bye-laws may be called —the Port Blair Municipal Council Water Supply Bye-laws, 2015.
- ii) These Bye-laws shall come into force from the date of its publication in the Official Gazette.

**2. Definitions :** In these bye-laws, unless the context otherwise, requires: -

- i) **"Capacity"** in relation to storage cistern means the capacity of the cistern measured upto the waterline/level.
- ii) **"Secretary"** means the Secretary, Municipal Council, Port Blair.
- iii) **"Communication Pipe"** means
  - a) where the premises supplied with water abuts 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 or other method of connection at the junction of the service pipe with the main to support 24/7 water distribution network in coming 3 years subject to availability of water being supplied to the Municipal Council Port Blair by APWD (Andaman Public Works Department) 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;
- iv) **"Connection pipe"** means any from the ferrule up-to the stop tap connecting the city supply main with a service pipe;
- v) **"Consumer"** means any corporate body, person or persons supplied or applying to be supplied with, or using water from the City Water Works, or any person or persons otherwise liable for the payment of water charges;
- vi) **"Consumer's pipe"** **"Consumer's fittings"** means all pipes, fittings, such as taps, cocks, valves, meters, cisterns, baths, water closets, lavatory basins and other similar apparatus used in connection with the supply and use of water from the city Water Works, which are not the property of the Port Blair Municipal Council, Port Blair.

- vii) **“Corrosion Resisting Alloy”** means an alloy which is highly resistant to corrosion by the water supplied by the Port Blair Municipal Council.
- viii) **“Cylinder”** means a cylindrical closed vessel capable of containing water under pressure greater than atmospheric pressure;
- ix) **“Distributing Pipe”** means any consumer’s pipe, which is trunk not main, but conveys water supplied by the Port Blair Municipal Council, from a storage tank / reservoir, and under pressure from such cistern only;
- x) **“Ferrule”** means a ferrule connecting a connection pipe with the distribution pipe;
- xi) **“House”** means dwelling house, whether a private dwelling house or otherwise and includes any part of a building, if that part is occupied as a separate dwelling house or any land to which water from the City Water Works is supplied;
- xii) **“Indian Standard Specification”** means standard or specification issued by the Bureau of Indian Standards.
- xiii) **“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;
- xiv) **“Stand Post”** means a point of public water supply provided with a tap or other mechanical contrivance for opening or closing the supply;
- xv) **“Storage Tank”** means any tank, other than a flushing cistern, having a free water surface under atmospheric pressure from which water supplied from the City Water Works is delivered for use otherwise than through a draw off tap fixed to the cistern;
- xvi) **“Stop Tap”** means stop cock, stop valve and any other device fitted at the end of a connection pipe furthest away from City Supply Main, for the purpose of shutting off or regulating the supply of water from the main to any house, building or land;
- xvii) **“Tank”** means a non-cylindrical closed vessel capable of containing water under pressure greater than atmospheric pressure;
- xviii) **“Temporary Purpose”** in relation to the use of any pipe means building, demolition or constructional work for such period as the work is in progress, or any other temporary purpose for a period not exceeding six months or such longer period as the Secretary may approve in any particular case;
- xix) **“Water Line”** in relation to a cistern means the top water line at which the overhead tank/ cistern is designed to work;
- xx) **“Warning Pipe”** means an overflow pipe so fixed that its outlet is in an exposed and conspicuous position where the discharge of any water there from may be readily seen.
- (xxi) **“Residential Premises”** means used wholly for human habitation and includes all garages, stables and other out-buildings appurtenant thereto and being used for purposes subservient to residence.
- (xxii) **“Commercial Premises”** means any wherein any business, trade or profession is carried on for profit and includes journalistic, or printing establishment and premises in which business of banking, insurance, stocks and share; brokerage or produce exchange is carried on or which is used as hostel, restaurants boarding, chicken & mutton stalls, slaughter houses, catering house, theatre, cinema done or other place of public entertainment or bhawans running commercial activities in the premises, farm houses & paying guests accommodation where food is cooked & served to the paying guests and also includes the premises where the premises where new construction or renovation of old building or any other place which the Secretary, Municipal Council may, by Notification in Official Gazette, declare to be a commercial establishment for the purpose of these Bye-laws.

**PUBLIC WATER SUPPLY****3. Use of Public Stand Post:**

- (i) No person, unless otherwise duly authorized by the Secretary in his behalf, shall open or in any way interfere with any main pipe, valve or fire-plug or fire hydrant connected with the City Water Works.
- (ii) No person shall willfully or negligently cause the water from a stand post to run waste, and every person after using the stand post shall turn off the tap.
- (iii) No person shall use stand post or public tap with the object of securing a supply of water for a purpose other than a domestic purpose.
- (iv) No person shall use the stand post for bathing or for washing of clothes or other articles or animals.
- (v) No person shall use water derived from the stand post, public tap or fire hydrants for building operation or for the purpose of any manufacturing or for any commercial purpose.
- (vi) As a policy PBMC phase of public stand post providing water free of charges and here .-after metered stand post will be sanctioned to a group of people, residents association, market association etc. who will be applying for metered public stand post described in Annexure-I. the authorized person on behalf of above association shall be sanctioned with  $\frac{1}{2}$  inch metered connection subject to the following condition:-
1. He/ She shall pay the tariff regularly as notified by PBMC time to time failing which the stand post will be disconnected.
  2. He/She will be responsible for payment of water charges and ensure maintenance of metered public stand post, wastage of water and other relevant provisions of these Bye-laws as applicable to other consumers.
- (vii) The consumers availing benefit from existing public stand post are also to apply in the same manner has stated in clause (vi) and prescribe in Annexure (I) within six month of Notification of this Bye-laws failing which the public stand post will be disconnected.

**Explanation:-** For the purpose of these bye-laws, water for a domestic purpose shall not be deemed to include water for:

- (a) Any trade, manufacture or business; or for any commercial purpose.
- (b) Fountains, swimming baths or for any ornamental or mechanical purpose including that for cooling, air conditioning and water softening plants; or
- (c) Gardens or for purposes of irrigation; or
- (d) Watering roads or paths; or
- (e) Building purposes; or
- (f) For washing vehicles or animals.

**MAKING ALTERATION OR EXTENSION OR PRIVATE CONNECTION**

**4. Application for Supply:-** Subject to the provisions of Bye-law 38, no connection with the City Supply Main for private connection and no alteration or extension of any such existing water connection shall be made in any private premises or house except on an application of the owner of such premises or house or of his/her recognized agent, who shall be registered as the consumer and shall be responsible for the observance of these Bye-laws so far as the connection on his/her house or premises is concerned.

**5. (I) Regular Connection:**

The consumer shall apply for regular connection in prescribed form by paying Rs. 50/-along with the documents mentioned in Annexure III. The consumer has to clear all the dues of PBMC water charges before applying for regular connection. On receipt of the intimation regarding sanctioning of connection, the applicant shall deposit the water meter security as per actual cost (refundable security for recovery of water charges in case of default) connection charges & (other material will be supplied by the consumer) as specified by PBMC. The meters shall be provided, installed & maintained by the consumer on his own cost after getting it tested from the Municipal Council. In case the Council provides/ replaces such meters, the consumer would be required to deposit the cost of water meter 8s other allied material required for connection. Connection charges as the water connection only be released in the name of owner or registered General Power of Attorney Holder.

- (a) Connection charges shall be as per the Council's resolution.
- (b) The material shall be made available by consumer at his own cost including necessary excavation at site.
- (c) Payment of road cut charges as per rate of WW/ RW wing of the Municipal Council, Port Blair Administration will be made by the consumer.
- (II) Such application shall be accompanied by the documents as mentioned Annexure II in the Bye-laws.
- (III) On receipt of the complete application in hard copy or on line as applicable the connection shall be sanctioned, if found in order as per Bye-laws.
- (IV) No new water connection will be given for commercial purposes of an area more than 500 Sq.m, in which rain water harvesting is in place & not working or not in place.
- (V) In the event of non-payment of water charges or any other due by the Consumer, the Secretary, Municipal Council may recover the arrears out of the security deposited by the Consumer. If the security deposited by the consumer is inadequate to recover the full arrears of the Water charges/ or any other due, the Secretary shall be authorized:-
- (a) To club the water charges with property charges for recovery and ultimately to disconnect the connection also in default of non-payment
- (b) To recover the arrears in the same manner as arrears of Property Tax.
- (VI) In case, the meter has been damaged or rendered defected the Secretary, Municipal Council may direct consumer in writing to replace or correct the meter within 48 hours failing which the water connection will be disconnected. However, subject to the provisions of Bye-law 5(1), in general, the meters of higher sizes shall be purchased & replaced at the cost of consumer.

Sub-Registrar, South Andaman 8s Revenue department will have to obtain No Dues Certificate from the Municipal Council in respect of water charges and other charges before granting NOC for sale of property. Transfer Ownership Fee of Rs. 500/- per connection will be charged by the Municipal Council to change the name of the consumer.

#### 6. Sanction for Alteration or Extension:

- (i) If on receipt of the estimate (cost of material & labour for excavation etc.) the applicant wishes to have the alteration or extension carried out, he/ she shall deposit in the office of the Secretary/ authorized officer the amount of the estimate (cost of material & labour for excavation etc.), and if alteration or extension is sanctioned by the Municipal Council/ Secretary, the work of laying communication pipe and fittings shall be executed by the Municipal Council/ Secretary. The remaining work of pipes laying and consumer's fittings and service pipes shall be done by licensed plumber in accordance with these bye-laws and Water Supply Regulations. If any conditions of limitations are imposed by the Secretary, while conveying sanction to the connection, such conditions or limitations shall be binding on applicant.
- (ii) The licensed plumber, after completion of the work shall submit a completion report in Form "B" as given in Annexure I.
- (iii) Competent Authority for the grant of water connection / alternation / extension shall be as under:-

SI. No.	Description	Size of connection	Competent authority to sanction the water supply connection
1	Regular Domestic, Commercial, Industrial and Institutional connection (Other than for construction purposes)	Upto 15mm	Sub-Divisional Engineer
2	Regular Domestic, commercial, Industrial and Institutional connection (Other than for construction purposes)	20mm to 40mm	Executive Engineer
3	Water connections of all categories	Above 40mm	Superintending Engineer
4	All types of temporary water connections	a) Upto 15mm only b) above 15mm	Executive Engineer Superintending Engineer

- 7. Requirement of Meter** All existing connections for water supply shall be metered as per the schedule separately notified by PBMC.
- 8.** Requirement of rain water harvesting, if not in place not working for all establishments of area more than 500 Sq.m & recycling of waste water for commercial establishment of more than 500 Sq.m within 6 in months of notification of these Bye-laws.
- 9. Connection to mains** All consumer's pipes and consumer's fittings shall be provided and laid in accordance with these Bye-laws and Water Supply Bye-laws and shall be perfectly sound and water-tight before the water connection is released. On completion of the work, a completion report in Form -B given in Annexure I duly signed by the licensed plumber shall be submitted to the Secretary, and water will not be supplied to any house or premises unless compliance of the above provisions is made.
- 10. Alteration or removal of Consumer's Pipes and Fitting** :No consumer's pipes shall be altered or extended except with prior permission of Secretary in accordance with these bye-laws
- 11. To Curb leakage of water line between Ferrule and Water Meter**

On observing leakage on such points, notice will be served to the consumer asking him/her to get the leakage rectified within a period of 2 days. In case of non-compliance, leakage shall be got repaired at the risk and cost of the consumer and the amount so involved will be intimated to the water bill section alongwith the fine of Rs. 500/- which will be recovered in the ensuing water bill.

- 12.** A consumer may be permitted to have his own meter subject to the following conditions:

- (a) Meter shall be of a type approved by the Municipal Council and in proper working order.
- (b) A consumer may have his own sub-meter installed with the sanction of Municipal Council but the Municipal Council, shall not be responsible for its maintenance or repair etc. or for reading of a Sub Meter.
- (c) In case of loss or theft of water meter, the consumer shall file a FIR/DDR or file an affidavit duly attested by the Magistrate / Public Notary for installation of the new meter for obtaining approval from PBMC, after depositing the requisite water meter cost and installation charges as per actual charges.
- (d) Reinstallation / disconnection charges: The following reinstallation / disconnection charges shall be recovered from the consumer:

Meter Size	Reinstallation / disconnection charges
15mm or $V^{i/d}$	Rs.50/-
20mm or $\%^{i/d}$	Rs.60/-
25mm or 1" i/d	Rs.75/-
40mm or $Vz^{i/d}$	Rs. 100/-
50mm or 2" i/d	Rs.200/-
More than 50mm 100mm or 4"	Rs.300/-
More than 100 m	Rs.500/-

**13. Charges for Water Consumed:**

The charges for the water payable by the consumer shall be as follows per month:

(I) The water consumed for domestic use in residential premises shall be charged at the following rates slab:-

- ^-(a) First 15 Kilolitres. @ Rs. 3.00 per Kilolitre. ^
- (b) From 15 Kilolitres upto 30 Kilolitres @ Rs. 5.00 per Kilolitre.
- (c) From 30 Kilolitres upto 60 KL @ Rs. 7.00 per Kilolitre.
- (d) Above 60 KL @ Rs. 9.00 per Kilolitre.
- (e) For non-metered every first two (2) connection @ Rs. 50/ per connection/ ^>' month.
- (f) Every other non-metered connections @ Rs. 60/per connection/month Consumer will; be required to install water meters within prescribed time limit from the date of notification (notice to be issued separately by Secretary, PBMC) failing to install water meter within prescribed date shall attract double the rate mentioned at 13 (e) & (f) which shall be realized from the consumer.

Provided that the Council by a resolution and with the approval of the administrator may give certain rebate to a particular category of persons like Diviang (disabled persons) etc.

**(II) The minimum Rates for Commercial Premises shall be as under:-**

SI. No.	Description	Minimum rates Chargeable P M
1	Booths (Trade of fast food/ dhabas etc.)	Rs.90/- per ton
2	Hotels , Cinema , Shopping Malls, Restaurants/ Bars/ Garages and Wine Liquor shops (With A/C facilities) Commercial/ Clinic 8s other commercial coaching establishment.	Rs. 160/- per ton
3	All Hotels, Restaurants, Lodges and Guest Houses with (Non- A/C facilities) Residential building or any part these of being used professional purpose.	Rs.145/- per ton
4	Under Charitable <b>(Category-A)</b> One Vi dia tap provide at religious institutions will be treated as domestic connection	Rs.50/- per 1 <sup>st</sup> tap
5	Under Charitable <b>(Category -B)</b> All other connection will be treated as commercial connection as per the quantity measured by the water meter	Rs.80/- per ton
6	Educational Institutions (per ton) a) Government b) Private	Rs.300/- per ton Rs.120/- per ton
7	Government Departments	Rs.400/- per ton
8	Ship Supply	Rs. 400/- per ton
	<b>Tanker Supply</b>	
9	Domestic Consumption Tanker Supply (Card)	Rs. 120/- (per month for 200 litres per day)
10	Casual Supply ( Per 200 ltrs)	Rs. 45 /- per 200 ltrs
11	Commercial Supply ( per ton)	Rs. 255/- per ton
12	Charitable Supply ( per ton)	Rs. 80/- per ton
13	Education Purpose ( per ton)	Rs. 160 /- per ton
14	Govt. Department Supply ( per ton)	Rs. 400/- per ton
15	Ship Supply ( per ton)	Rs. 400/- per ton
16	Temporary Connection (1/2) per connection	Rs. 255/- per ton

The above charges may be changed for time to time through Notification by PBMC. Premises not covered by clauses I & II shall be charged at 255 per kilo/liter

**(III) Enhancement of Water Charges/ Penalty Levied:-**

Rate as per tariff mentioned in this Bye-laws will be enhanced additionally 3% with respect to the rates of predecessor year on yearly basis and will be reviewed in every 3 years.

**14. (A)** a consumer who fails to pay the water charge by the due date shall be liable to pay interest and fine as under :

- (1) Interest @12% per annum for the delay period and
- (2) Fine of Rs. 50/- for a delay period of 15 days and in case of further continuing breach with a further fine of Rs 5/- per day.

In case the delay in payments exceed more than 03 months from the due date indicated in the original bill. Then the original bill shall be deemed to be notice and water supply to the premise shall be disconnected without further notice. Thereafter in case of reconnection, the consumer will be liable to pay interest and fine as per above along with reconnection fee :

Provided that the secretary or any officer authorized by him/her in this behalf may:-

- i) Allow the arrears of water charges to be paid in such number of installments as he deems fit; and
- ii) Waive the penalty levied for non-payment of water charges by the due date in the following cases :-
  - (a) Where the meter reading recorded on the bill is found to be incorrect: or
  - (b) **Where the meter found to be not in proper working order.**

**14 (B) Special provisions for Housing Societies:**

**1) Charges for Societies:** Water connection shall be allowed to only those Societies which have been approved by Port Blair Administration/ Municipal Council/ Port Blair TCP. Connection charge shall be levied as per rates fixed by PBMC on total house hold basis

**2) Tariff Structure for the Housing Societies:-**

Water shall be supplied to the Societies through bulk meters. The water will be supplied only to the underground tank of the society considering it as only one unit in such cases. The Society may get installed sub water meter for individual flat/house. Water will not be released unless the bulk water meter is installed and mere deposit of the Tee Connection charges/fee will not entitle release of water. The Society shall be responsible for the payment of the total water supplied to it. The tariff structure as given in Bye-law 13 (II) shall be applicable to the Society after issue of occupation certificate by the Building officer.

The charges for the water payable by the consumer to be calculated for each dwelling unit shall be same as per the tariff proposed above under Bye-law-13 (I).

**15. Position of Meters:**

- (i) Every meter shall be placed as near to the stop cock as possible and in a position where it can be conveniently examined. The position shall be selected by the Secretary, who shall have exclusive control of meter and stop cock.
- (ii) An account of the service and cost of repairs of the meters installed by the Secretary shall be kept in Form C given in Annexure I.
- (iii) Interference with meter :- No meter shall be disconnected from the service pipe or otherwise interfered with, except with the permission of the Secretary.

**16.** The Secretary, Municipal Council may withdraw or restrict water supply during peak load hours for non-domestic use or at any other time, if it should appear necessary to do so in order to maintain a sufficient supply of water for domestic purposes.

**17. Correctness of meter :** PBMC has got full power to check the correctness of meter through authorized agency or if checked by PBMC the following fee will be applicable:-



18.

Sl. No.	Size of the Meter	Amount of Testing Fee
i)	½" or 15 millimeters	Rs. 200.00
ii)	¾" 1" to or 20 millimeters to 25 millimeters	Rs. 250.00
iii)	1 ½" or 40 millimeters	Rs. 300.00
iv)	2" to 3" or 50 millimeter to 80 millimeters	Rs. 350.00
v)	4" to 100" millimeters	Rs. 400.00
vi)	6" to 8" or 150 millimeter to 200 millimeters	Rs. 450.00
vii)	10" to 12" or 250 millimeter to 300 millimeters	Rs. 500.00

Provided that in case the meter is found tempered with, the following penalty shall be imposed: -

- ½" dia Rs. 500/-
- ¾" dia Rs. 750/-
- 1" dia. Rs. 2000/-
- Above 1" dia Rs. 3000/-

The competent authority for levying the said penalty shall be the Assistant Engineer (water works) or Executive Engineer (water works), Municipal Council and the same shall be reviewed by the Superintending Engineer, Municipal Council. The appeal shall lie with the Secretary, Municipal Council, Port Blair.

#### 19. Replacement of Meter:

- (i) The Secretary shall cause a meter to be removed from service pipe and be replaced by a new meter or by a meter which has been satisfactorily repaired and tested:-
- (a) When the meter reading book shows that the consumption has fallen off and the cause of the fall cannot be ascertained.
  - (b) Where the meter is damaged or is not recording or is otherwise out of order; or
  - (c) After continuous service of 24 months.
- (ii) A meter removed under clause (i) shall be examined and where necessary shall be repaired, cleaned and oiled.
- (iii) The meter shall then be tested and shall not be passed for service unless its readings are accurate within five percent.

**20. Authenticity of Consumption:** Entries in the register of a meter shall be *prima facie* evidence of the quantity of water consumed.

21. The proper working of water meter shall entirely rest with the consumer who shall be intimated of its being defective through remarks on the water bill itself. Such consumers shall be required to replace their water meters within a maximum period of four months from the date of issue of last bill bearing the remarks that the meter is defective. The charges for the period for which the meter remained defective will be on the basis of average consumption during the last one year. In case of non replacement of water meter within four months, the water supply shall be disconnected without any further notice.

**22. Bill of Demand:** The bill of demand for meter rent and water consumed shall be presented by the Secretary and shall be paid within fifteen days from the date of presentation of the bill.

**Explanation:** - For the purpose of this bye-law a bill shall be deemed to have been duly presented, if it is sent to the registered address of the consumer or e-mailed /SMS to the consumer.

#### 23. Connections:

- (i) Every private connection shall be fitted with atleast a ferrule or any other method of connection a stop-cock, meter service pipe and a tap. If in any house or premises the connection is found to be without the above fittings, the connection may be cut off as laid down in bye-law 31.

- (ii) All pipes, ferrules, stop-cocks, meters and other fittings of the connection shall be under the control of the Secretary. Access to these shall be had by any official authorized by him in that behalf, at any time for repairing and altering the said pipes, taps etc. or for reading the meters.
- (iii) No portion of any water connection of or the pipe or main leading to it or meter shall be tampered with by any consumer in any way whatsoever, whether for the purpose of repair, alteration or any other purpose except with the written permission of the Secretary.
- (iv) The registered consumer shall be liable to pay the cost of damage and/or for loss of meter, its surface box or any other material installed by the Secretary for giving connection to his house or premises provided that in the event of damage to the meter which, in the opinion of Secretary, is willful the connection shall be closed as provided for in bye-law 31.

**24. Maintenance of Consumer's- Pipes and Fittings:**

- (i) Every consumer shall maintain the stop taps, pipes and other fittings inside the house or premises in water-tight conditions and in thorough working order.
- (ii) The Secretary shall be entitled to depute an official to inspect the water supply installations within the house or premises of the consumer at any time during the day between 8.00 a.m. and 5.00 p.m. During night time, after the supply hours, only an officer of the rank of Junior Engineer or above shall be authorized for inspection.

If the installation or any part thereof is found to be defective; the Secretary may serve a notice on the consumer to rectify the defect within 24 hours. In the case of serious defect involving heavy wastage of water or endangering safety of the residents or building, the connection may be cut off without notice as provided for in bye-law 31.

**25. Consumer's Fitting, Testing and Stamping-** All consumer's fittings of what ever kind shall conform to the provisions and specifications to such further standards as may from time to time be prescribed by the Secretary and whether so specified or not shall be submitted for approval to the Secretary before being fixed. All such fittings shall be maintained, repaired and renewed at the consumer's expense to the satisfaction of the Secretary. All consumer's fittings of apparatus used in connection with the water supply of Municipal Council shall be tested and stamped by the Secretary or/and shall bear a test mark or stamp approved by the Secretary as guaranteeing conformity with these bye-laws.

**26. Consumer's Pipes and Fittings-** All consumer's pipes and fittings shall be provided and laid at the consumer's cost and no consumer shall be entitle to supply of water unless and until such pipes and fittings and laying and fixing thereof are approved by the Secretary on compliance with these Bye-laws and unless proper drainage arrangements have been made.

**27. Erection of Water Closets to be Approved:** - No connection shall be granted for the supply of water to any water-closet or urinal unless its erection is approved by the Secretary and sufficient storage is provided as specified in the building bye-laws.

**28. Separate Communication Pipe to every Premise:** - Every house or premises supplied with water by the Secretary shall have its own separate communication pipe. No communication pipe shall be used to supply water to more than one house or premises.

**29. Duties of Consumer:**

- (i) No consumer shall
  - (a) Use or suffer or permit to be used a connection in such a way as to cause waste or unauthorized use of water.
  - (b) Fix any tap in any court-yard, passage or outside any houses or premises, so as to be available for use by the public without special permission in writing from the Secretary, or fix any tap in close proximity to places where injurious fumes are likely to be produced, or fix any cock or connection to any tank or reservoir so as to permit any part of the contents of the said tank or reservoir to siphon back into the consumer's pipes.

- (c) Re-open any connection that has been stopped or re-connect the connection pipe with the City Supply Main when the connection pipe has been severed from the said main except with permission of the Secretary.
  - (d) Alter the index to any meter or prevent any meter from duly registering the quantity of water supplied.
  - (e) Obstruct or use water before it has been registered by a meter set for the purpose of measuring the same.
- (ii) A consumer shall pay for all water registered by meter fixed in his house or premises subsequent to a burst in the service pipes when the Secretary is satisfied that adequate precautions had not been taken.

**30. Prohibited Connections of Consumer's Pipes.** - No **Servicepipe** shall be connected to any watercloset, urinal, steam boiler or to any hot water system or any apparatus used for heating or any closed vessel other than through a cistern of such size and description as the Secretary may direct.

**31. Cutting off a Connection:** - Every connection shall be cut off on the request of the consumer or by order of the Secretary on account of the following reasons: -

- a) in the interest of water works.
  - b) for the purpose of effecting repairs to any part of the water supply system.
  - c) If, the bill for water supply and meter remains unpaid for a period of one month from the date of presentation of the bill to the consumers.
  - d) in case, where in the opinion of the Secretary, the use of water causes the house or premises to become unsanitary.
  - e) in case, where in the opinion of the Secretary adequate drainage arrangements have not been made for disposal of waste water.
  - f) if, in the opinion of the Secretary, danger is involved to the occupants of the house or premises or to the structural stability of such houses or premises or parts thereof.
  - g) for mis-use or infringement of any bye-law; or
  - h) in case there so directed by Secretary the commercial establishment does not install rain water harvesting & wastage water recycling as mentioned in this Bye Laws.
  - i) in case, where the owner or occupier has used or dealt with the premises in a manner contrary to any condition imposed on the transfer of land/building by the A & N Administration, as the case may be, however the water connection shall not be cut off unless the owner or the occupier as the case may be, has been given reasonable opportunity of being heard.
- Explanation:** - The cutting off a connection means merely the closing the stop tap and removing of the meter.
- j) in case the other municipal dues are not being paid by the consumer for last 6 months.

**32. List of Licensed Plumbers:** The Secretary/ Municipal Council shall issue plumbing license as per the qualification and procedure through Notification shall maintain a list of licensed plumbers which shall be open for inspection to any person.

**33. Work to be done by Licensed Plumbers:-** All work carried out by consumers in connection with the supply or use of water which is required to be done under any of these bye-laws shall only be executed by one or the other plumber named in the list referred to in bye-law 34 or their workmen.

**34. Plumber's Name to be Furnished:** - Every person who employs a licensed plumber to execute any such work shall furnish to the Secretary the name of the plumber.

**35. Penalty for infringement of Bye-laws:** Any person who commits a breach of any of these bye-laws shall be punishable with fine of Rs.50/- and in case of further continuing breach with a further fine of Rs.5/- for every subsequent day during which the breach continues :

Provided that levy of fine as per above will not absolve the person from paying interest @ 12% per annum for the delay period and compensating for the loss, If any, suffered by the Council because of infringement of bye-laws.

**36 (i)** The Municipal Council, Port Blair, shall charge the following amount from the owners of the premises within its municipal limits who install tube wells/Bore wells in their premises after obtaining prior sanction from the competent authority: -

Size of the bore	Amount
50 mm (2")	9,000/- Per Month
65 mm (2'A")	15,000/- Per Month
80 mm (3")	22,000/- Per Month
100 mm (4")	26,000/- Per Month
120 mm (5")	40,000/- Per Month
150 mm (6")	45,000/- Per Month
Above 150 mm (above 6")	50,000/- Per Month

- (ii) The consumer will be charged double the normal rates described above, for installation of tube well without approval of the competent authority of PBMC for the period from the date of installation of the tube well till the approval is obtained in this behalf.
- (iii) The word size of the bore should be read as size of the lowering assembly of the tube well. Any tube well installed by Municipal Council will not be charged any water tariff. However, the tube wells installed by the private persons, individuals or any other departments for any purpose i.e. drinking, irrigation or commercial shall be charged as per rates already specified therein.

### 37. Change of Water Tariff from Commercial to Domestic:

For change of water tariff from commercial to domestic, an affidavit shall be submitted by the consumer where the commercial activity was previously carried out but subsequently stands stopped. On the basis of the recommendations of the SDO, the tariff shall be changed by the Executive Engineer.

### 38. Illegal use of Pumps and Motors:

No direct on line water boosting arrangement shall be installed by the consumer. In case, it is found to be installed on the direct water supply system within the premises, the following action shall be taken against the consumer: -

- Confiscation of pump/motor for first offence for Rs. 500.00.
- Confiscation of pump/motor for second offence Rs. 1000.00.
- Disconnection of Domestic / Commercial water connection.
- Confiscated pump will be released to consumer after paying of fine.

### 39. Illegal Restoration of already Disconnected Water Supply:

To streamline the levy of water charges in cases where disconnected supply is restored without proper authority, the consumers shall be charged the water charges for the consumption at the penal rates which will be double the applicable rates of the tariff structure along with defaulting amount. Additional Charges of Rs. 500/- will also be charged for disconnection of water supply from the ferrule.

### 40. Disputes Settlement & Redressal Committees:

- Any question, dispute or difference, whatsoever arising in respect of water connections obtained by the consumers from the M.C., Port Blair under these Bye-laws regarding water tariff, charges, penalties etc. imposed by the competent authority in accordance with or on account of violation of the said bye-laws shall be referred to the following Dispute Redressal Committees constituted to settle the disputes.

ii) The various Reviewing and Appellate Authorities shall be as under:-

SI. No.	Competency for settlement of dispute	Reviewing Authority	Appellate Authority
1	Up to ? 1,00,000/-	EE Level Dispute Redressal Committee	SE Level Dispute Redressal Committee.
2	Above ? 1,00,000/-	SE Level Dispute Redressal Committee	Secretary Level Dispute Redressal Committee.

The following Committees shall act as Review / Appellate Authorities for Settlement of Dispute in the Water Charges Bills:-

**A) Executive Engineer Level Dispute Redressal Committee:**

i.	E.E, PBMC	Chairman
ii	Chairperson, Water Sub-Committee	Member
iii	A.O.(F)	Member
iv	A.E, PBMC (concerned)	Member
v	J.E (concerned)	Nodal Officer

This Committee shall be the Reviewing authority for the disputes involving an amount upto Rs. 1,00,000/-

**B) SE Level Dispute Redressal Committee:-**

i.	S.E, PBMC	Chairman
ii.	E.E, PBMC	Member
iii	Chairperson, Water sub Committee	Member
iv	C.A.O.	Member
v	A.E, PBMC. (concerned)	Nodal Officer

- **S.E, PBMC.** means **Superintending Engineer**, Municipal Council, Port Blair.
- **E.E, PBMC.** means **Executive Engineer**, Water Works, Municipal Council, Port Blair.
- **C.A.O.** means **Chief Accounts Officer**, Municipal Council, Port Blair.
- **A.E, PBMC.** means **Assistant Engineer**, Water Works, Municipal Council, Port Blair.
- **A.O(F)** means **Account Officer Finance**, Municipal Council, Port Blair
- **J.E** means **Junior Engineer**, Municipal Council, Port Blair.

This Committee shall be the Reviewing authority for the disputes involving an amount beyond ? 1,00,000/- shall act as an Appellate Authority for the disputes involving upto ? 1,00,000/-

C)

**Secretary Level Dispute Redressal Committee:-**

i.	Secretary, PBMC	Chairman
ii.	SE, PBMC	Member
iii.	Chairperson, Water sub Committee	Member
iv	C.A.O.	Member
v.	EE, PBMC	Nodal Officer

This committee shall act as an Appellate Authority for the disputes beyond ₹. 1,00,000/-.

**iii) Procedure For Making An Application**

In case, the consumer is not satisfied with the billed amount, he/she will have to make a written request to the Nodal Officer of the concerned Committee alongwith 50% of the billed amount in the shape of the draft receipt. The Nodal Officer shall arrange a meeting of the Dispute Redressal Committee once in a month and place all such requests before the Committee for decision.

In case, the consumer is not satisfied with the decision of concerned Dispute Redressal Committee (Reviewing Authority), he can make an appeal to the Appellate Authority in writing within 15 days from the decision of Reviewing Authority.

In all these Dispute Redressal Committees, the Consumer and / or his authorized representative shall be given full opportunity to put his / her case before the concerned Dispute Redressal Committee. Normally, these committees shall try to arrive at a consensus decision. In case of difference of opinion amongst the Chairman / Members thereof, the case will be decided with a majority opinion present. The Dispute Redressal Committee shall pass speaking Orders/Decisions and specify clearly, if any relaxation of rules is involved in the case. The Committee Members, if required, can also inspect / visit the premises to access the factual position. Each Dispute Redressal Committee shall decide the cases by holding maximum two meetings for any disputed case and in case the consumer or his/her authorized representative fails to turn up in the meeting, the decision of the Review/Appellate Authority shall be considered as final. At-least one meeting will be convened in a period of one month by each committee to decide the case.

Decision of the Appellate Authority will be final and no further appeal shall be entertained. These Committees shall review and decide all the cases including waiving off irrecoverable amounts. Further these Committees shall consider/review all the disputed cases of the consumers, who have been sanctioned water. ■>

Meter connections including cases relating to excessive charging of water bills due to following reasons:

- a) Premises remained locked after construction but water bills kept on increasing every month.
- b) Premises initially occupied but thereafter remained locked for considerable period.
- c) Excessive water bill on account of high average consumption due to any technical defect in water meter including recording of wrong water meter reading.
- d) Excessive water charges bill due to leakage within the premises of the consumer.
- e) Water connection got sanctioned but physically no water connection was installed at site and the construction was not commenced or only a part of the building constructed but remained incomplete.
- f) Excessive water bill due to levy of commercial charges where the commercial activity was not carried out at all or was carried out for a limited period.
- g) To settle disputed bills, where the M.C. disconnected the water supply but the same was reconnected by the consumer without the permission of M.C./informing the M.C.
- h) Building was not fully occupied, only a Chowkidar / Watchman residing for watch and ward.

All the pending cases lying for consideration / review shall be forwarded to the concerned committees by the SDOs of the area under their jurisdiction within a month from the issue of this Notification. However, the cases already decided prior to the formation of these committees shall not be reopened.

**41.** Every connection must have float valve at the end point of discharge mouth for control on over flow/wastage of water, it is mandatory or else the connection will be disconnected. PBMC limits its responsibility of providing water at reasonable pressure upto a height of 1.0 m from the ground level of the building, Consumers are required to construct Storage Tanks / Sump Tanks within the height limit mentioned above for collecting water through the communication pipe.

**42.** No person shall construct any Latrine or Cesspool within Five meters of any well, tank, water pipe or in any position where such well, tank or pipe is likely to be injured or water therein polluted

**43.** The Secretary, Port Blair Municipal Council is fully empowered to implement and enforce the water bye-laws himself or through Officers authorized by him.