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Arunachal Pradesh Water Supply Act, 2015

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GOVERNMENT OF ARUNACHAL PRADESH
LAW, LEGISLATIVE AND JUSTICE DEPARTMENT
ARUNACHAL PRADESH CIVIL SECRETARIAT
ITANAGAR

NOTIFICATION

The 25th April, 2017

No. Law/Legn-14/2015.—The following Act of the Arunachal Pradesh Legislative Assembly which was passed in the Fifth Session of the Sixth Legislative Assembly and received the assent of the Governor of Arunachal Pradesh is hereby published for general information.

(Received the assent of the Governor on 11th April, 2017)

THE ARUNACHAL PRADESH WATER SUPPLY ACT, 2015 (ACT NO. 3 OF 2017)

An

Act

to regulate water supply including levy of reasonable tariff on consumption of piped water supply in the State of Arunachal Pradesh and matters connected therewith and incidental thereto;

BE it enacted by the Legislative Assembly of Arunachal Pradesh in the Sixty-sixth Year of the Republic of India as follows:-

Chapter – I

Preliminary

1. **Short title and commencement :** (1) This Act may be called the Arunachal Pradesh Water Supply Act, 2015.

(2) It shall extend to the whole of Arunachal Pradesh.

(3) It shall come into force on the date of its publication in the Official Gazette.

2. **Definitions:** In this, unless the context otherwise requires-

(a) **'Act'** means the Arunachal Pradesh Water Supply Act, 2015

(b) **'Assistant Engineer'** means, an Assistant Engineer in charge of a Sub-division or equivalent rank of the Public Health Engineering and Water Supply Department.

(c) **'Chief Engineer'** means the Chief Engineer of Public Health Engineering and Water Supply Department.

(d) **'Competent authority'** means and includes Chief Engineer, Public Health Engineering and Water Supply Department or any other officer like Superintending Engineer, Executive Engineer, Assistant Engineer and Junior Engineer of Public Health Engineering and Water Supply Department authorized by him in this behalf.

(e) **'Consumer'** means owner (s) or occupier (s) of any building or premises provided with water connection either by piped connection or by hand pump, tube well or well or tanker by the Public Health Engineering and Water Supply Department.

(f) **'Consumer of Water'** means who uses the water supplied by the department.

(g) **'Consumers Main'** means water pipes which connect Government Main with consumer's premises and includes service pipe and internal plumbing line of the consumer's premises.

- (h) **'Department'** means Public Health Engineering and Water Supply Department, of the Government of Arunachal Pradesh.
- (i) **'Executive Engineer'** means the Executive Engineer in-charge of a Division in Public Health Engineering and Water Supply Department.
- (j) **'Fire Hydrant'** means hydrant fixed on the water main other than the trunk main for affording supply of water for extinguishing any fire;
- (k) **'Government'** means the government of Arunachal Pradesh.
- (l) **'Government Main'** means water pipeline for the purpose of giving a general supply of water which includes any apparatus used in connection with such a pipe and which is maintained by the Government.
- (m) **'Junior Engineer'** means a Junior Engineer of Public Health Engineering and Water Supply Department in charge of a section.
- (n) **'Local Body'** means a City Corporation, a Municipal Council or a Village or Nagar *Panchayat*.
- (o) **'Owner'**, in relation to any premises, means the person who receives the rent of that premises or who would be entitled to receive the rent thereof if the premises were let, and includes,-
- (i) an agent or trustee who receives such rent on behalf of the owner;
 - (ii) an agent or trustee who receives the rent of, or is entrusted with the management of any premises devoted to religious or charitable purposes;
 - (iii) a receiver or manager appointed by any court of competent jurisdiction to have the charge of, or to exercise the rights of an owner of said premises; and
 - (iv) a mortgagee in possession.
- (p) **'Premises'** means any land or building and includes—
- (i) the garden, land and outhouses, if any, appertaining to a building or part of building; and
 - (ii) any fitting affixed to a building or part of a building for more beneficial enjoyment thereof.
- (q) **'Public Hydrant'** means hydrant meant for supply of water to the public within a local area;
- (r) **'Rules'** means any rules made under this Act;
- (s) **'Superintending Engineer'** means Superintending Engineer in charge of a Public Health Engineering and Water Supply Department Circle.
- (t) **'Semi Urban'** means other District Towns, Sub-Divisional towns, Circle Headquarters which are not yet declared/notified as Urban Towns by the Government of Arunachal Pradesh.
- (u) **'Section'** means a section of the Act;
- (v) **'Service Line'** means the portion of consumer main starting from the point where consumer main joins the Government main upto the point in the consumer main where water meter is installed.
- (w) **'Tap'** means any outlet or inlet installed for extracting water from consumer pipeline connected to Government water pipeline. Some of specific examples of taps are bibcock, inlet to cistern, shower, stop cock, ball cock fixed at reservoir etc.
- (x) **'Urban'** means the State Capital or District Towns declared/notified as Urban Towns by the Government of Arunachal Pradesh.
- (y) **'Water Connection'** includes-
- (i) any tank, cistern, hydrant, stand-pipe, meter or tap situated on any premises or property and connected with a main or the distribution pipe; and
 - (ii) the water pipe connecting such a tank, cistern, hydrant stand pipe, meter or tap with such main or distribution pipe;
- (z) **'Water Supply'** means a system of providing water to a community for meeting its requirements both domestic and non-domestic, but does not include providing water for irrigation purposes.

Chapter – II

Provision of water and collection of tariff

3. (1) **Provision of Water :** (a) The department shall on an application made to it by the owner of any premises or by the occupier with the consent in writing of the owner thereof, grant supply of water for domestic purposes under this Act *except the following, namely:-*
- (i) for any trade, manufacture or business;
 - (ii) for gardens or for purposes of irrigation;

- (iii) *for building purposes including construction and watering of roads or streets;*
- (iv) *for public bath or tanks or for any ornamental or mechanical purposes;*
- (v) *for animals where they are kept for sale or hire or for the sale of their produce or any preparation therefrom;*
- (b) No person shall use or be allowed to use water supply for any purpose other than domestic purpose except with the previous approval of the competent authority.
- (c) No person shall, without the permission of the competent authority make or cause to be made any connection with the Government main pipeline.
- (d) Notwithstanding anything contained in any other law for the time being in force or any deed executed under this Act or rules made thereunder, the Government or its officers and employees shall not be liable for any damage or penalty for, discontinuing the supply of water or failure to supply water to any person or to any area if the cause of such failure is beyond the control of the Government, its officers and employees.

(2) Procedure for water connection-

(I) Application for water connection

- (a) An application for water supply connection from the Government Main shall be made in Form W/S – I by duly filling in all the requisite information sought therein.
- (b) Application Forms can be had during office hours from the office of the Executive Engineer, Public Health Engineering & Water Supply Division, on payment of ₹ 10 (rupees ten) only
- (c) The duly filled up Application Form should be submitted along with the Site plan in the office of the Executive Engineer, Public Health Engineering & Water Supply Division showing following details.
 - (i) All units, such as Kitchen, out house, etc (not attached to the building) where water is proposed to be taken.
 - (ii) All roads, footpath and drains to be crossed by the consumer line.

(II) Approval For Water Supply Connection:-

- (a) After the receipt of the application, the Department shall prepare a Data Sheet in Form W/S-II and make necessary corrections in site plan, verify data and carry out other necessary scrutiny of the application.
- (b) The Competent Authority shall thereafter approve the connection point, method of the connection, connection fees to be paid by applicant, water tax and/ or water charges if he is satisfied that the data as sought-for in the Application Form and other procedures have been correctly abided and met by the applicant.

(3) Intimation to applicant for making Payment for Water Connection :- The applicant shall, thereafter, be informed through an intimation letter in duplicate in Form W/S –III indicating amount of connection fee and other charges as may be applicable. The applicant shall, thereafter, return the original Form duly signed, along with the Bank Receipt for the amount paid as cost of the Form.

(4) Grant of Permission:- Consequent upon payment of the required amount by the applicant under sub-clause (b) of clause (II) of section 3, the competent authority shall issue a letter in Form W/S-IV permitting the connection of consumer's main from the Government main as per the procedures stipulated under the provisions of the Act and as per the directions communicated to the applicant.

(5) Method of Laying of Consumer Pipelines:-

- (a) The connection shall be provided to the ground floor or any other floor below the ground floor of any building. For lifting of water to higher levels, the owner shall make his own arrangement with prior approval of the competent authority.
- (b) All pipes and fittings including meters, pumps, tanks and accessories shall be of approved Indian Standard Institute specification.
- (c) Pipe must be buried minimum one foot underground in all cases. They can be exposed above ground, provided underground concealing is not possible for which the prior approval of the department shall be obtained.
- (d) All pipe lay outs should be in geometrical form and should present aesthetic look.
- (e) Sizes of pipes and taps in all cases shall be half inch (15mm) in dia unless otherwise approved by the Department in writing.

- (f) No pipe shall be laid adjacent to sewer lines or drains unless the pipe is encased inside Cement Concrete or Reinforced Cement Concrete beam and is approved by the Department.
- (g) All the connections shall be carried out by Licensed/ designated Department plumbers only.
- (6) Supply of Water to Government Agencies, etc :**
- (i) Where the Department agrees to supply bulk water or any quantity of water to Government agencies, institutions, or Defense organizations, such Government agencies, institutions or defense organization shall furnish all the relevant details as may be sought by the department prior to approval and provide all such information in manners stipulated under sub-section (2) and allotment of fund.
- (ii) In case the Department has to maintain the Water Supply of the above mentioned consumer/parties, the maintenance cost assessed by the Department shall be final and shall be borne by the consumer/parties wherever applicable.
- (7) Licensed Plumbers:-**
- (i) The Superintending Engineer, having jurisdiction over the area, on recommendation of Executive Engineers, shall appoint the plumbers from amongst the existing Work Charged fitters or casual labourers based on their performance, sincerity, basic practical knowledge in the field of fitting and fixing of pipes and fixtures and issue license accordingly.
- (ii) No person other than a licensed plumber appointed by the competent authority or person duly authorized by it shall execute any work relating to a water connection, not being a work of a trivial nature and no person shall permit any such work to be executed by a person other than such a person.
- (iii) No licensed plumber shall contravene any of the specifications or standards relating to execution of such works provided in the Act or specified by the competent authority or execute such works using sub-standard materials, appliances or fittings.
- (iv) Where any such work is executed in contravention of sub-clauses (ii) and (iii), such connection is liable to be refused or disconnected.
- (v) No licensed plumber shall demand or receive any extra charge for any such work in excess of the estimated cost approved by the competent authority and the amount deposited to the Executive Engineer.
- (vi) If any licensed plumber executes any such works in contravention of provision of this section or regulations, his license shall be suspended or cancelled irrespective of whether any criminal proceeding is taken against him or not.
- (vii) Complaint against any licensed plumber to the competent authority, regarding violation of the provisions of this Act, shall be filed before the Executive Engineer, within thirty days, from the date of notice of the violation.
- (viii) Executive Engineer shall dispose of the complaint referred to in sub-clause (vii) within thirty days from the date of receipt.
- (ix) Any person aggrieved by the orders of the Executive Engineer, under the foregoing sub-clause may appeal to the Superintending Engineer, having jurisdiction over the area and he shall dispose of the appeal after affording a reasonable opportunity of being heard to the person concerned. His decision thereon shall be final.
- (x) Whoever, being a licensed Plumber, contravenes sub clauses (iii) and (v) of sub-section (7) of section 3, shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees or with both.
- (8) Provision of Public Hydrants:-**
- (i) The competent authority shall, subject to payment by a local body or organization, union etc. of such charges as the authority may determine provide supply of wholesome water to the public of Urban and Semi-urban areas through the public hydrants within its local area.
- (ii) The competent authority may, at the request of the local body, organization, union, association etc. and shall, if Government so directs, subject to payment of such contribution towards its cost in such manner as may be prescribed, provide and maintain within the local area public hydrants together with all incidental works for supply of water at such places as may be considered necessary by the local bodies.
- (iii) The local body, organization, union or association shall pay to the competent authority quarterly, such sum as may be fixed by the authority, towards the cost of water supplied by it through the public hydrants within its local area on the basis of expected consumption of water and in accordance with such rule as may be prescribed.

- (iv) The water from any public hydrant shall not be used for any non-domestic purpose.
- (v) No external instruments or pipes or hose or other devices shall be connected to any public hydrants for tapping water.
- (vi) No cleaning or washing of any animal, vehicle, cloth, utensil or any other materials shall be done under or near any public hydrant.

(9) Provision of Fire Hydrants:-

- (i) The competent authority may, at the request and expense of the owner or occupier of any factory or any shop or commercial establishment provide and maintain fire hydrants, together with all incidental work for the supply of water in case of fire in such factory, shop or commercial establishment and in any such case levy charge from such owner or occupier the cost of water supply in connection therewith.
- (ii) The competent authority shall provide and maintain fire hydrants together with all incidental works for the supply of water in case of fire at such other places as may be considered necessary by a joint committee of the officers of the department and the Fire Services Department of the Government and supply water in connection therewith.
- (iii) The competent authority may also provide fire hydrants in villages provided fund is made available to the department.

(10) Provision of Water Meters:-

- (i) The consumer, at his own cost, shall provide a water meter at a convenient point of service pipe between the premises and Government main after obtaining approval from the competent authority.
- (ii) All meters, connections, pipes and other works incidental to the supply of water to any building or land shall be supplied, repaired, extended and altered as may be necessary at the expenses of the person requiring such supply but shall remain under the control of the Government.
- (iii) Notwithstanding anything contained in sub-clause (i), the competent authority shall have the power to install its own water meters to any connections wherever need arise and shall recover the cost of water meter from the consumer.
- (iv) Whenever water is supplied under this Act through a meter, it shall be presumed that the quantity indicated by the meter has been consumed, until the contrary is proved.

4. Collection of Tariff and Charges :-

- (1) The monthly water bill shall be prepared by the Executive Engineer or any other officer authorized by him and shall be served to the consumer within 7 (seven) days.
- (2) The monthly water charges shall be payable in the office of the Executive Engineer or any other officer authorized by him within the stipulated time, to be reflected in the bill which will normally not exceed 30 (thirty) days from the date of issue of the bill.
- (3) Simple interest at the rate of 18% per annum on total amount due for each month shall be levied if not paid within the stipulated period.
- (4) In case any consumer is in default of payment of water charges for three consecutive months, the department shall serve a notice in Form-V with water bill including interest as stated in sub-section (3) above. The consumer shall clear the bill within 15 days from the date of receipt of the notice. If no payment is made within 15 days as stipulated, the house connection shall be liable for disconnection. In the event of reconnection being given to the defaulting consumer, the cost of reconnection as estimated by the department and the connection fee of ₹ 500 along with pending amount shall have to be paid by the defaulting consumer in advance. In case due to some other reason, the bill is not reached to the consumer within the stipulated time, it will be the duty of the consumer to enquire about the missing bill from the office of the Executive Engineer or the authorized officer as the case may be, and collect a duplicate bill.
- (5) The amount realized towards water supply charges by the Executive Engineer/ Sub-Divisional Officer, Public Health Engineering and Water Supply Department or any other authorized officer as the case may be, should be deposited in the Treasury under appropriate Head of Account within 7 (seven) days from the date of receipt and a monthly account and the same shall be submitted to Superintending Engineer/Chief Engineer of the department.
- (6) All payments made by the consumers towards water charges for private connection or from Government building shall be issued proper receipt by the department.

- (7) The water bill shall be collected from the consumers from the date of completion of providing water connection.
- (8) In case of break in water supply due to repair or construction of the premises or due to change of tenants, the liability of payment shall rest on the owner of the premises.
- (9) A revenue collection register shall be maintained for each sectional office of urban and Semi-urban towns.
- (10) The Executive Engineer shall cross-check this register every month while depositing the revenue into the Government exchequer for proper maintenance of records and regular revenue collection.”
5. (1) (i) **Rate of water charges:-** The table of the rates of water charges where water meters are not installed shall be as follows-

SI. No.	Type of connection	Existing Rate effective since 01/06/2006	No. of dwelling unit	Revised rates to be effective from enforcement of the Act.
1	2	3	4	5
1.	New Water Supply connection Charge	₹ 2000		₹ 3000
2.	Private domestic consumer in Urban area	₹ 100/ month	1-3 Bedroom (per dwelling unit) 4-5 Bedroom (per dwelling unit) 5 and above (per dwelling unit)	₹ 150 per month ₹ 300 per month ₹ 400 per month
3.	Private domestic consumer in Semi-urban towns/Administrative HQs	₹ 50 per month	1-3 Bedroom (per dwelling unit) 4-5 Bedroom (per dwelling unit) 5 and above (per dwelling unit)	₹ 75 per month ₹ 150 per month ₹ 200 per month
4.	Commercial rate:			
A. (i)	Luxury hotels (with lounge, conference, restaurants)	₹ 50 per month/ tap		₹ 200 per room/ month
(ii)	Budget hotels	₹ 50 per month/ tap		₹ 100 per room/ month
(iii)	Restaurants			
(a)	With washroom	₹ 50 per month/ tap		₹ 2000 per month
(b)	Without washroom	₹ 50 per month/ tap		₹ 1000 per month
(iv)	Tea stall/eateries	₹ 50 per month/ tap		₹ 200 per room/ month
B.	Private hospitals/Nursing homes	₹ 50 per month/ tap		₹ 200/per room/ month
C.	Private institutions/ colleges/ schools.			
(i)	Boarding	₹ 50 per month/tap		continue ₹ 50 per month/tap
(ii)	Non-Boarding			₹ 5/ per student/ month
D. (i)	Shopping complex	₹ 50 per month/ tap		₹100 per shop/ month
(ii)	Commercial shops with access to departmental water supply	₹ 50 per month/ tap		₹ 100 per month
5.	Government Institutions/offices	₹ 25 per month / tap		₹ 50 per/tap/month
6.	State/Central Government employees residing in Government Quarters			

1	2	3	4	5
	(i) OBT/MIBT (Bachelor Barrack/Qtr)			₹ 100 per month
	(ii) Type-I Quarter	₹ 50 month		₹ 200 per month
	(iii) Type-II Quarter	₹ 75 month		₹ 300 per month
	(iv) Type-III Quarter	₹ 100 per month		₹ 400 per month
	(v) Type-IV Quarter	₹ 125 per month		₹ 600 per month
	(vi) Type-V Quarter	₹ 150 per month		₹ 800 per month
	(vii) Type-VI Quarter/Bungalows	₹ 175 per month		₹ 1000 per month
7.	For bulk consumers (examples, Rajbhawan, CM Bungalow, Secretariat)			₹ 10,000 per month
8.	For Private sources such as Dug wells, Bore wells, Spring etc.			
	(i) One time registration fee			₹ 1000
	(ii) Renewal fee			₹ 200 annually
9.	Public stand post			₹ 20 per household
10.	Bulk water supplied through water hydrant			As per detail analysis based on prevailing rate to be approved by the competent authority
11.	Water supply through tankers			-do-
12.	Religious institution with access to departmental water supply i.e. Church/ Temple/ Gurudwara/ Mosque, etc.			Exempted from any water charge
13.	Bulk water supply for National/State level functions (Govt./Semi-govt./ NGO/Public/Private)			₹ 2000 per day
14.	Bulk water supply for community level functions			₹ 1000 per day
15.	Charges for use of departmental water supply for construction purpose (Govt./Semi-Govt./ NGO /Public/Private)			As per detail analysis and assessment made by the competent authority
16.	Provision for bulk water supply charge of all Govt./ Semi-Government construction to be remitted to Government			As per detail analysis and assessment made by the competent authority.

(ii) **Rates of water charges** where water meters are installed :-

The water supply services shall be rationalized with introduction of volumetric tariff that will replace the tap based tariff system, wherever possible in the urban and semi-urban towns. The rates of metered tariff per kilolitres (1000 litres) will be as follows :-

Sl. No.	Category	Meter Tariff
1.	Domestic	
	(i) Urban Areas	₹ 15 per KL
	(ii) Semi Urban/ Administrative HQs	₹ 8 per KL
2.	Commercial	₹ 30 per KL
3.	Bulk supply through Tankers/Trucks	₹ 175 per KL
4.	Industrial requirement	₹ 200 per KL

Explanation: (a) "Domestic" in section 5 means and includes-

- (i) All residential complexes including tenant complexes;
- (ii) All State and Central Government offices, institutions, residential quarters and all educational institutions;
- (b) "Commercial" in section 5 means lodges, restaurants, hotels, confectionaries/sweet shops, private institutions like schools and colleges, guest houses, clubs, theatres, cinema halls, swimming pools, fountains, washing places for vehicles, shops, garages, petrol pumps, factories, banks, nursing homes and companies.

(2) **Assessment of water charges in case of unauthorized use:-**

- (i) If on inspection of any place or premises or water meters or any other devices, or any record maintained by any person, the authorized officer of the department finds that any consumer is indulging in unauthorized use of water, he shall, notwithstanding any criminal proceedings that may be taken against the consumer under any other law for the time being in force, provisionally assess, to the best of his judgment, the water charges payable on account of such unauthorized use of water.
- (ii) The order or provisional assessment shall be served to the consumer in such manner, as may be provided by regulations.
- (iii) The consumer to whom a notice has been served under sub-clause (ii) shall be entitled to file objection, if any, against the provisional assessment before the authorized officer of the department who may, after affording a reasonable opportunity of hearing to such consumer, pass a final order of assessment of the water charges payable by such consumer.
- (iv) Any consumer served with the order of provisional assessment may accept such assessment and deposit the assessed amount with the officer designated for the purpose within seven days of service of such provisional assessment order upon him.
- (v) If the assessing officer finds that unauthorized use of water has taken place, it shall be presumed that the unauthorized use has been continuing since the date of starting of the construction, in case the unauthorized use is for construction purpose or from the date which the assessing officer finds that the unauthorized use has been continuing in case the unauthorized use is for other purposes.
- (vi) The assessment shall be based on the plinth area of the building, in case of unauthorized use for construction purpose or based on the number of inhabitants, in case of domestic purpose or based on the probable quantity, in case of other purposes.
- (vii) The water charges under this section shall be assessed in accordance with provisions in this Act and Rules made thereunder.

6. Power to revise the rates of water tariff : The Government may, from time to time, by notification, fix the rate or rates of charge on meter basis or on the basis of number of taps installed or number of dwelling units or on the dimension of the service pipe, payable by the consumer for supply of water under this Act and different rate or rates may be fixed for different areas and for different consumers;

Provided that the rate of charges for supply of water for purposes other than domestic purposes shall not be less than double the rates charged in respect of water supplied for domestic purposes as may be prescribed.

7. Exemption of water charges and others : The State Government shall also have the power to exempt any institution, or Government body or organization from payment of any Tariff, fees or charges for having water supply connection and consumption thereof as deemed fit.

8. Arranging pipes across road, street:-

- (1) The Government or the competent authority shall lay or carry any pipes for the purposes of arranging or maintaining supply of water, through, across, under or over any road or street or a place laid out or intended to be laid out as a road or street or any other place under the control of a local authority or any person and may at all times do all acts and things which may be necessary or expedient for repairing or maintaining such pipes in an effective state.

Provided that,

- (a) such work shall be carried out with least annoyance to the public and within a reasonable time;
- (b) reasonable compensation as may be determined by the Government shall be paid to the owner or the local authority as the case may be, for any damages sustained by him or it and directly occasioned by the carrying out of such operations;

(c) the competent authority shall cause, not less than seven days notice in writing to be given to the owner or the local authority as the case may be, before commencing any operation under this section except in cases where immediate action is considered necessary, in which case, the competent authority may by order and for reasons to be recorded in writing, dispense with the notice.

(2) The pipes, which cross the roads/streets, shall be laid at least 1 (one) feet (30cm) below the road so as to avoid leakages due to impact of wheels.

(3) Disciplinary actions as per relevant rules, shall be initiated against the defaulting fitters/ plumbers/ Junior Engineers who fail to comply with sub-section (2).

9. Service line to unauthorized occupants:-

(1) When a request of an applicant for grant of water supply to his/her premises, temporarily occupied unauthorizedly, is received in writing, the Executive Engineer may accept the proposal and the person so applying shall, at his/her own cost, provide all service pipe and fittings for carrying out the works, or else he/she shall deposit the money to the concerned Executive Engineer as per the approved estimate, under this Act.

(2) Such water supply connection to the unauthorized occupants shall not be treated as the basis for allotment of land and or compensation in the event of eviction/demolition in accordance with due process of law in Urban or Semi-urban areas.

10. Levy of water tax on rural consumers:-

(1) The rural consumers who settle near or within periphery of urban and Semi-urban towns but has water supply from the pipelines of urban and Semi-urban areas shall pay the water charges under the provisions of this Act. Similarly, the consumers who settle within Urban/semi-urban towns and get water from rural water supply pipe lines shall also pay the water charges on equal footing.

(2) The consumers who are settled in rural areas, villages but get the water supply from rural water supply pipe in his/her Reinforced Concrete Cement, Semi-Reinforced Concrete Cement and Semi Permanent Type buildings upto kitchen, bathroom, wash basin, shall pay the water charge at half the approved rates fixed under the Act for Urban areas.

Chapter – III

Offences and Penalties

11. Prohibition and Prevention of Wastage of Water :-

(1) No owner or occupier of any land or building to which water is supplied by the department shall either willfully or negligently or otherwise suffer such water to be wasted or shall suffer pipe, taps, works and fittings for the supply of water to remain without repair so as to cause wastage of water.

(2) No person shall cause wastage of water or misuse of public stand post, hydrants pipe, etc.

(3) Wherever the Executive Engineer has reason to believe that as a result of any defect in pipes, taps or fittings connected with water supply, the water supply to the land or building is being wasted, he may by a written notice, require the owner or the occupant of the land or building within such period, as may be specified in the notice to repair and make good the defect.

(4) If the repairs are not effected within the time specified in the said notice as in sub-section (3) of this section, the Executive Engineer may cause such repairs to be carried out and recover the cost of repair from the owner or occupant of the land or buildings as the case may be as an arrear of water charge.

(5) The owner or occupant of any land or building or on which the water supplied by the department, under this Act, is wasted for poor condition of pipes, main or other works he/she shall give notice of the same to the competent authority forthwith.

12. Misuse and causing damage to water works, valves and hydrants:-

(1) (a) No person shall damage or cause damage to water reservoir main, pipes or other appliances, for supply of water under the management of the department.

(b) No person shall draw off or divert any water from water reservoir, main, pipes or hydrant under the management and control of the department.

(c) No person other than the authorized staff or licensed plumber or fitter, shall open or keep open the valves or any water works of the department meant for the supply of water to the public.

- (d) No person shall cause or suffer to percolate or drain into or upon any water works whereby the water therein may, in any way, be fouled, polluted or its quality and quantity altered;
 - (e) No person shall cause or allow to enter any animal into such water works;
 - (f) No person shall bathe or wash clothes in such water works, notified water sources;
 - (g) No person shall throw or put anything into or upon the water in such water works.
- (2) Whoever contravenes sub-section (1) shall be punishable with fine which may extend to ₹ 50,000 (Rupees fifty thousand) only.

13. Other Offences and penalties:-

Punishment for tapping or making illegal connection or other illegal activities :—Whoever, being a consumer or otherwise, with an intention to get unlawful gain, connects service lines without proper permission from the competent authority, damages or tampers a water meter, or uses any device or method which interferes with the accuracy and proper metering of the water supply, shall be punishable

- (1) In case of a domestic consumer, on first conviction with fine which may extend to *ten thousand rupees*, and in the event of a second or subsequent conviction with imprisonment for a term not exceeding six months and with fine which may extend to twenty-five thousand rupees.
- (2) In case of non domestic consumer, on first conviction with fine which may extend to *fifteen thousand rupees* and in the event of a second or subsequent conviction imprisonment for a term not exceeding two years and with fine which may extend to *fifty thousand rupees*.

14. Offences relating to theft of material :-

- (1) Whoever, dishonestly :-
 - (a) Cuts or removes or takes away or transfers any material or meter from any installation or any other place, or site where it may be rightfully or lawfully stored, deposited, kept, stocked, situated or located including during transportation, without the consent of the concerned department or the owner or the licensee, as the case may be, whether or not the act is done for profit or gain ; or
 - (b) Stores, possesses or otherwise keeps in his premises, custody or control, any material or meter without the consent of its owner, whether or not the act is done for profit or gain; or
 - (c) Loads, carries or moves from one place to another any material or meter without the consent of its owner, whether or not the act is done for profit or gain; or
 - (d) Obstructs or causes to obstruct personally or in connivance with any other person tapping of any water source, shall be guilty of an offence and shall be liable on conviction, to imprisonment for a term which may extend to three years but shall not be less than three months, or fine which may extend to rupees twenty thousand but shall not be less than rupees five thousand or with both.
- (2) If a person, having been already convicted of an offence punishable under sub-section (1) is found guilty of an offence under the said sub- section, shall be punishable for the second or subsequent offence for a term of imprisonment which shall not be less than six months but which may extend to three years and shall also be liable to fine which shall not be less than rupees ten thousand which may extend to thirty thousand.

15. Punishment for receiving stolen Government Water Supply property : Whoever, dishonestly, receives any stolen Government Water Supply material knowingly or having reasons to believe the same to be stolen property, shall be liable, on conviction to the punishment of imprisonment of either description for a term which may extend to three years, or fine which may extend to rupees ten thousand or with both.

Chapter – IV

Powers of competent authority and resolution of disputes.

16. Power of Executive Engineer to cut off or turn off supply of Water:-Notwithstanding anything contained in this Act, the Executive Engineer may cut off the connection of any water works of the department to any land or building to which water is supplied or may turn off such supply for any of the following cases:-

- (i) If the land or building is unoccupied, or
- (ii) If after receipt of written notice from the Executive Engineer requiring him to refrain from so doing the owner or occupant of the land or building continues to use the water or permits the same to be used in contravention of this Act or any rules made thereunder, or

- (iii) If the owner or occupant of any land or building to which water supply is made by the department refuses to admit any officer or employee of the department duly authorized for the purpose of making any inspection or repairing relating to water supply or prevent such officer or employee from making such inspection or repair, or,
- (iv) If the owner or occupant of the land or building willfully or negligently injures or causes damages to any pipe or any fittings, valves etc. conveying water of the department, or
- (v) If any pipe works or fitting connected with supply of water to the land or building is found on examination, out of order to such an extent as to cause wastage of water and immediate prevention is necessary, or
- (vi) If by reason of leakage in the service pipe or fitting, damage is caused to a public street or any public or private property and immediate prevention is necessary, or
- (vii) If there is any water pipe situated within the land or building to which no tap or other efficient means of turning the water off is attached causing wastage of water, or
- (viii) If due to any reason it is seen that the pipeline is being contaminated, or
- (ix) If any fee, rental, cost of water or any charge or other sum due under this Act, is not paid by the consumer within the period of fifteen days after receipt of a bill for the same.

17. Disputes between the Department and Consumer:-

- (1) The Superintending Engineer or such other officer not below the rank of Executive Engineer or such other officer specially empowered, shall have the power to decide all disputes relating to the liability for the payment of tariff, fees and other charges or exemption therefrom.

Provided that notwithstanding anything contained in the aforesaid provisions, any person aggrieved by the final order passed under sub-section (2) of section 5 and other relevant sections of the Act, may, within thirty days of the said order, prefer an appeal to the Superintending Engineer having jurisdiction over the area.

- (2) No appeal under sub-section (1) shall be entertained unless an amount equal to one third of the assessed amount is deposited within the period prescribed for the purpose.
- (3) The appellate authority referred to in sub-section (1) shall dispose of the appeal within thirty days of presentation of appeal after hearing the parties.
- (4) The orders of the appellate authority passed under sub-section (3) above shall be final.

18. Advance notice for stopping water supply :- If at any time, supply of water is proposed to be stopped for more than twenty four hours in any local area or to any premises, the competent authority may give oral or written notice before twenty four hours in advance, inform the local authority, inhabitants of such local area or the owner of such premises as the case may be.

19. Inspection of premises :-

- (1) Any officer not below the rank of Junior Engineer authorized in this behalf by the competent authority may, between 9 am and 5 pm, enter into any premises for the purpose of inspecting any water installation.
- (2) The power conferred by this section includes power to break open the door/gate where the Executive Engineer or such Gazetted Officer has a reason to believe that water is being misused or used without proper permission.

Provided that the power to break open the door/gate shall be exercised only after the owner or any other person in occupation of the premises, if he is present therein, refuses to open the door/gate on being called to do so.

- (3) If such officer is, at any such time, refused admission into such premises for the purpose and prevented from making such inspection, the competent authority may, after giving the consumer an opportunity of being heard, cutoff the supply of water to that premises;

Provided that if any such premises is an apartment in the actual occupancy of a woman who, according to the custom does not appear in public, such officer shall, before entering such apartment, give notice to such woman that she is at liberty to withdraw and afford her every reasonable facility for withdrawing and may then enter the apartment.

Chapter – V**Notification of water sources and protection of water supply mains and their ownership****20. Notified water sources and water main routes :-**

- (1) The Government may, from time to time, identify and declare certain water sheds or water sources or both or water main routes as notified watersheds or water sources or notified water main routes;
- (2) Such notified watersheds or water sources or notified water main routes shall, thereupon be under the administrative control of Public Health Engineering and Water Supply Department, Government of Arunachal Pradesh;
- (3) Any use of such notified watersheds or water sources or water main routes by the public, local authority or any other agency shall require prior approval of the competent authority;
- (4) The Government may impose tax for use of water from the notified water sheds, water sources or water main routes by the public, local authority or any other agency and the charges shall be not less than seventy percent of the charges for supply of water for domestic purposes, as may be prescribed;
- (5) Private Water sources such as springs, dug wells, Bore wells etc. shall mandatorily be verified by the officials of Public Health Engineering and Water Supply Department to certify its reliability in terms of quality and a nominal surcharge shall be levied from the consumer.

Explanation:

- (i) **“Watershed”** means an area surrounding any spring, stream or pond (whether formed naturally or otherwise) which conserves and sustains a source of water, the quantity whereof is likely to be varied by erosion of soil, felling of trees or disturbances by cattle grazing or human settlement/activity and includes the gathering ground of a river system;
- (ii) **“Water route”** means the strip of land along which the pipeline for supply of water is laid and includes the land adjoining such pipeline which, if disturbed by quarrying, digging, or movement of vehicles etc. is likely to disturb the stability of the pipeline.
- (iii) **“Water source”** means any spring, stream, river, pond (whether formed naturally or otherwise) from where water is tapped for domestic or other purposes.

21. Ownership of Assets created:-

- (1) The ownership of the assets created by Public Health Engineering and Water Supply Department like headworks, sedimentation tanks, filtration tanks, storage tanks, distribution tanks, overhead tanks, pumps, motors, ring well, lift water supply system, the main and service lines, water meter, water taps etc. in Urban, Semi-urban and rural areas shall vest with the Public Health Engineering and Water Supply Department till these are handed over to the consumers, local bodies, Non Government Organization, Panchayats or Village Water Sanitation Committee etc.
- (2) The ownership of service line in the case of private consumers shall also vest with Public Health Engineering and Water Supply Department even though the cost of any connection or part thereof has been borne by the applicant.
- (3) The field officers of the Public Health Engineering and Water Supply Department shall be authorized to take over old pipelines whenever new pipelines are laid in lieu of old pipes and they may shift and use these old pipes to any other locations as deemed fit.
- (4) In the event of such shifting and re-use of old pipes under section 21, the department shall maintain proper records like Material Account at Site.
- (5) The ownership of water supply assets created under different programmes by other departments also shall be vested in Public Health Engineering & Water Supply Department.

22. Prohibition of construction of buildings etc. over land, pipes etc.:-

- (1) The Government/village authorities shall provide, free of cost, at least one (1 m) meter wide land on both sides of roads, streets, pavements etc in Urban, Semi-urban and rural area for laying of pipelines by the Public Health Engineering & Water Supply Department.

- (2) No person shall without permission of the competent authority construct any private street, building, wall, fence or other structure over any land or pipes or mains belonging to the department.
- (3) If any private street is constructed or any building, wall, fence or other structure is erected on any land or pipes or mains belonging to the department, the competent authority may remove or cause to remove the same as may be provided in this Act, or any other law for the time being in force.
- (4) The expenses incurred by the competent authority 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, by the person contravening the Act and shall be recoverable as arrears of land revenue.

Chapter – VI

Miscellaneous

23. Compensation for land and water :-

- (1) No compensation for the land used for construction of Reinforced Concrete Cement structures like headworks, sedimentation, storage tanks etc at private lands shall be paid by the department excepts the value of assets standing or created on it.
- (2) No claim for compensation shall be paid in lieu of water sources which are being used for tapping water by the department for public use.

24. Non-liability of the Department to pay penalty or damages :-

The department shall not be liable in any way for any loss or damage or sufferings caused to any person by the cutting off of the supply of water due to drought or accidents or works relating to re-laying or repairing of any water works or other unavoidable causes.

25. Obligations and Responsibilities of Consumers :-

- (1) Consumer's supply line from the mains and valves therein shall be maintained by the Public Health Engineering and Water Supply Department at the expense of owner, who shall also be responsible for breakages, damages or theft of the same.
- (2) The consumers shall not give any type of sub-connection from his supply line.
- (3) All consumers before vacating their respective premises shall report to the department of such move and clear their arrears, if any, and they shall obtain clearance certificates from the Executive Engineers concerned for further reconnection in other locations.
- (4) All the consumers shall ensure arrangement of proper rain water harvesting structure along with storage sump of adequate quantity to store water for use during break down of normal water supply of the department due to unforeseen natural calamities.

26. Cognizance of Offence :-

- (1) No court shall take cognizance of any offence punishable under this Act except on complaint filed by an officer mentioned in sub-section (7) of section 3 of this Act.
- (2) No court inferior to that of Judicial Magistrate of first class shall try any offence punishable under this Act.

27. Limitation of Prosecution : No court shall take cognizance of any offence punishable under this Act unless complaint thereof is made within two month from the date on which the alleged commission of offence came to the knowledge of Superintending Engineer, Executive Engineer or any such especially empowered officer having jurisdiction over the place of occurrence.

28. Protection of action taken in good faith : No suit, prosecution or other legal proceedings shall lie against any officer or staff of the Department for anything which is done in good faith or intended to be done under the Act or the rules made thereunder.

29. Power to make Rules:-

- (1) The Government may, by notification, make rules for all or any of the provisions of the Act for implementation of the Act.
- (2) Every rule made under this Act shall be laid, as soon as may be, before the Legislative Assembly, while it is in session for a total period of one month which may be comprised in one session or in two or more successive sessions, and if the House agrees in making any modification in the rule or the House agrees that the rule should not be made, the rule shall have effect only in such modified form or be of no effect, as the case be, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Rule.

30. Power to remove difficulties:-

If any difficulties arise in giving effect to the provisions of this Act, the State Government may, by order, not inconsistent with the provisions of this Act, remove the difficulties.

31. Repeal and saving:-

- (1) The Arunachal Pradesh Water Supply Act, 2000 (Act No. 9 of 2000) is hereby repealed.
 - (2) Notwithstanding such repeal anything done or any action taken under the said Act shall be deemed to have been done or taken under the corresponding provisions of this Act.
-

FORM W/S – I

See Sub section 3(2) (I)(a)

**GOVERNMENT OF ARUNACHAL PRADESH
PUBLIC HEALTH ENGINEERING DEPARTMENT AND WATER SUPPLY DIVISION _____**

No.....

Dated _____

Water supply connection application form

To,

The Executive Engineer
Public Health Engineering & Water Supply Division

Photo

Sir,

I/We request for your kind permission to allow to draw water from the State Government Main(s).

I/We shall be abide by the standing rules, regulation and directives.

Yours faithfully,

(Signature of the Applicant)

(To be filled in Capital Letters)

1. Name/ Designation of the applicant _____
2. Correct mailing Address _____
3. House No. with location _____
4. Name of the Department/Organisation if in service _____
5. Water is required for (Tick Mark)
 - (a) Drinking /Construction/ Factory use /Institution /Commercial/ Specify others uses _____
 - (b) State Government /Private/Central/Others _____
6. Details of premises (Tick Mark)
 - (a) RCC/Non RCC/ others _____
 - (b) Nos of Storeys _____
7. Period of water supply requirement (Tick mark)
 - (a) Permanent / Temporary / Requirement for construction / other uses _____
8. User Details
 - (a) Nos. of family unit _____
 - (b) Nos. of Users _____
 - (c) Nos. of Taps in the premises _____

1. I / We hereby certify that the above information are true and any subsequent changes contemplated shall be notified to the department fifteen days prior to effecting such changes.
2. I /We hereby fully agree that apart from other reasons prescribed in the Arunachal Pradesh water supply Act 2015. Water supply connection may be disconnected in the event I/we violate any rules or regulation or fail to pay water revenue
3. I / we hereby declare that I / we am / are the owners / of the premises mentioned in the application and entire liability of payment of water charges, dues and fines shall rest on me/us or on the person whomsoever/ the ownership / liability if legally transferred.

Signature:
Applicant:
Head of Department / Officer
(in case of Government Agency)

FOR OFFICE USE ONLY

- (a) ₹ 10 paid vide _____
(sum to be deposited under the account of head "0215" water supply).
- (b) Water supply connection Register Ref No. _____

Bill Clerk
PHE & WS Division _____

FORM W/S –II

See Sub-section 3(2) (II)(a)

**GOVERNMENT OF ARUNACHAL PRADESH
PUBLIC HEALTH ENGINEERING DEPARTMENT AND WATER SUPPLY DIVISION _____****Water supply connection Data sheet :**

1. Name of consumer _____
2. Address _____
3. Water connection register ref, No. _____
4. Recommendations:
 - (c) Size of supply pipe : _____
 - (d) Length _____
 - (e) Estimated requirement per day _____
 - (f) Head available from connection point _____
 - (g) Size and I.D of State Main _____
 - (h) Discharge available in State main _____
5. Connection Charges:
 - (A) Term deposit Receipt to be drawn in favour of Executive Engineer, Public Health Engineering Department.
 - (i) Supply of materials ₹ _____
 - (ii) Labour charge ₹ _____
 - (iii) Restoration Supervision charges ₹ _____
 - (iv) Security Deposit / Cost of Meter ₹ _____
 - (v) Other charges (to be specified) ₹ _____
 Sub Total (A) ₹ _____
 (Rupees) _____ only
 - (B) Charges to be credited under head –"0215"water supply
 - (i) Connection charges ₹ _____
 - (ii) Other charges ₹ _____**SUB-TOTAL (A+B) ₹ _____**
 - (C) MONTHLY REVENUE ASSESSMENT (as per water supply Rule)
 ₹ _____ (Rupees) _____ only.
 N.B. if assessment is done on the basis of other factors, separate analysis sheet should be attached.
6. Annual maintenance (if applicable)
 ₹ _____ (Rupees) _____ only.
7. Liability of payment of water charges owner / occupant of premises :-
 Name _____
 Address _____
8. System : Meter system / Tap System _____
 Annual water tax assessment (if applicable)
 ₹ _____ (Rupees) _____ only.
9. Connection to be carried out by the Department

Junior Engineer

Assistant Engineer

Executive Engineer

FORM W/S – III

See sub-Section 3(3)

**GOVERNMENT OF ARUNACHAL PRADESH
PUBLIC HEALTH ENGINEERING DEPARTMENT AND WATER SUPPLY DIVISION _____**

To:

_____**Subject:** Water Supply Connection Intimation Letter For Payment

Sir/Madam,

With reference to your application No: _____ dated _____ on the above subject, you are advised to deposit the following sum in the State Bank of India, _____ branch, under the head (s) noted below and produce the receipt (s) in the office of the undersigned for further necessary action:-

1. Temporary Deposit Receipt drawn in favour of Executive Public Health Engineering Division _____.

- (A) (i) Supply of materials ₹ _____
(ii) Labour Charges ₹ _____
(iii) Restoration/supervision charges ₹ _____
(iv) Security deposit ₹ _____
(v) other charges ₹ _____

(Rupees _____) only

2. Charges to be credited under head "0215 Water Supply"

- (B) (i) connection charge ₹ _____
(ii) Other charges (to be specified) ₹ _____

Sub Total (A) ₹ _____

Grand total (A+B) ₹ _____

Rupees _____) only.

3. Please read the detail carefully:-

- (a) Monthly assessment (As per the Water Supply rule).

₹ _____ (Rupees _____) only

- (b) Annual maintenance cost (if applicable)

₹ _____ (Rupees _____) only

- (c) Liability of payment of water charges and water tax owner occupier of premises

Name: _____

- (d) Systems: /Tap system/details _____

- (e) Annual water tax assessment (if applicable)

₹ _____ (Rupees _____) only.

- (f) Connection to be carried out by Department.

4. Other details

- (a) size of the supply pipe: _____

- (b) Nos: _____

- (c) Length _____

- (d) Head available from connection point: _____

- (e) size and ID of State mains: _____

- (f) I.D of main/distribution tank; _____

Yours faithfully

Executive Engineer
PHE &Ws Division _____

5. I have read the contents of this document. I fully agree and abide by the provision of the Arunachal Pradesh Water Supply Act 2015.

Signature of Applicant

(x) For official use only:-

Received payment of ₹ _____ (Rupees _____) only
vide B.R No: _____ for ₹ _____ and TDR
No: _____ date _____ for ₹ _____

Billing Clerk, PHE & WS Division

7. **Important** : Applicant please Sign this document and return to the department along with Bank Receipt and Temporary Deposit Receipt as indicated vide (1) and (2)

FORM W/S – IV

See sub-Section 3(4)

**GOVERNMENT OF ARUNACHAL PRADESH
PUBLIC HEALTH ENGINEERING DEPARTMENT AND WATER SUPPLY DIVISION _____**

No.

Dated:.....

Consumer Index No:

Permission of Connection

With reference to Registration No: _____ permission is hereby granted to Shri/Smt. _____ for _____ in connection to his premises of _____ located at _____

The connection should be completed within one month's time from the date of issue of this connection permission, for which the Assistant Engineer Water Supply should be contacted. Water charge/Taxes will be levied from _____ day _____ month _____ year _____

Executive Engineer
PHE & WS Division _____

Copy to:-

- (1) Shri/Smt. _____
- (2) Superintending Engineer, PHE Circle _____
- (3) Assistant Engineer PHE & WS Sub Division _____
- (4) Junior Engineer PHE & WS Section _____.

FORM W/S – V

See sub-Section 4 (4)

**GOVERNMENT OF ARUNACHAL PRADESH
PUBLIC HEALTH ENGINEERING DEPARTMENT AND WATER SUPPLY DIVISION _____****NOTICE**

No: _____

Dated:- _____

To:

Mr/Mrs/Miss

Subject: Water Supply Consumer index number _____

Disconnection notice

With reference to the above consumer index number our account shows an outstanding amount of ₹ _____ Rupees _____) only lying against you on account of water charge/taxes for the period mentioned hereunder. In accordance with Arunachal Pradesh Water supply Act. It is necessary that the water charges and taxes are required to be paid regularly as indicated in the bills. Non payment of the charges etc, has been viewed seriously by the Department and you are therefore directed to settle the outstanding dues immediately within 15 days from the date of receipt of this notice. If you fail to pay the dues within the time specified above the Department shall take action against you under the provisions of the Act.

Details:

Month	year	₹
1.		
2.		
3.		

Executive Engineer

PHE & WS Division _____

Belatee Pertin
Commissioner to the
Government of Arunachal Pradesh,
Itanager.