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Himachal Pradesh Water Supply Rules, 1989

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HIMACHAL PRADESH
IRRIG. & P.H. DEPARTMENT

EX. PW-PH-17-4/90-586-636

Dated:- 1-3-90

To

All the Superintending Engineers/
Executive Engineers under South Zone.

Subject:- Notification:- Regarding H.P. Water Supply
Rules, 1989.

~~Pls see~~ Enclosed please find herewith
notification NO. IPH(3)14/84 dated 30.12.89 issued by the
Commissioner-cum-Secretary (IPH) to the Govt. of Himachal
Pradesh Shimla-171002 on the above noted subject both in
English and Hindi language for ~~xxxx~~ taking further necessary
action at your end.

In order to ensure that the copy of above
Rules has been received in your office, its receipt may
please be acknowledged at an early date.

Encl:- As above.

[Signature]
Executive Engineer (W)
for Engineer-in-Chief (IPH)
Himachal Pradesh, Shimla-I.
[Date]

Copy alongwith copy of above Rules is
forwarded for information and guidance to the:-

1. Superintending Engineer (P&I) I & II in
Head Office.
2. Executive Engineer (SP)
3. Registrar (IPH) Deptt. Shimla-171001.
4. Accounts Officer (Budget) / CTR.
5. Vigilance Officer of this office.

[Signature]
Executive Engineer (W)
for Engineer-in-Chief (IPH)
Himachal Pradesh, Shimla-I.
[Date]

D.A. As above.

Receipt position

- 1) SE. Hamirpur p-19.
- 2) SE. Una p-23.

Authoritative English text of draft Notification No. IPH(3)14/84, dated 30-12-1989 as required under Article 348(3) of the Constitution of India.

Government of Himachal Pradesh
Irrigation & Public Health Department

No. IPH(3)14/84, dated: Shimla-2; the 30-12-1989.

NOTIFICATION

In exercise of the powers conferred by section II of the Himachal Pradesh Water Supply Act, 1968 (Act No. 8 of 1968) the Governor of Himachal Pradesh is pleased to make the following rules:-

short title
extent and
commencement.

- 1. (i) These rules shall be called the Himachal Pradesh water Supply Rules, 1989. *1990 Amendment made for*
- (ii) It extends to the whole State of Himachal Pradesh
- (iii) These shall come into force at once.

Definitions:

- 2. In these rules, unless there is anything repugnant in the subject or context:-
 - (i) "Act" means the Himachal Pradesh Water Supply Act 1968 (Act 8 of 1968);
 - (ii) "Authorized Officer" means, Superintending Engineer/Executive Engineer/Assistant Engineer of Irrigation and public Health Department of the State of Himachal Pradesh for the area with his jurisdiction.
 - (iii) "Form" means the form as appended to these rules.
 - (iv) All other words and expressions used herein but not defined and defined in the Act shall have the meanings respectively assigned to them in the Act.

power to
regulate and
initiate
drinking water
supply schemes
(Section 3 of
the Act),
principles and
conditions.

- 3. The Government may initiate new schemes or improve upon the existing schemes after investigating surveying the requirements of the area, on its own or on a request from the local inhabitants, subject to the following conditions:-
 - (a) sufficient water is available to be tapped at the source; and
 - (b) the inhabitants to be benefited are to give an undertaking in writing to allow the laying of pipes and construction of storage tank/tanks under and over their land without any requirement for

connections

4. (1) All new connections or alterations to the existing connections in a scheme shall be provided with the written orders of the authorised officer not below the rank of Superintending Engineer and its execution may be done through his representative which will be open for inspection to the authorised officer, who shall be competent to issue further directions, if need so. FE

(2) Separate service pipe line may be provided from the main supply line with a stop-cock at the cost of the consumer for each private connection. See Vazir 187

(3) The authorised officer not below the rank of Superintending Engineer may allow the installation of meters for private connection in a particular scheme.

(4) No other private connection shall be allowed from the service pipe line of the private connection.

(5) All works, relating to the private connection shall be executed to the entire satisfaction of the authorised officer as per his directions.

(6) No person other than a person duly permitted by the authorised officer shall open, dis-connect, interfere with the water connection or mains, hydrant, tank, valve, fittings or break, injure, open any locked cock, valve, pipe and wilfully do any action whereby the water in any pipe or other component of the scheme is contaminated or wasted or mis-used.

(7) The authorised officer not below the rank of Superintending Engineer with due notice may disconnect any private connection, if he is satisfied that there is leakage in the pipe line or water is contaminated or wasted or mis-used or there is sufficient cause to question in any court of law, which would not be questioned in any court of law.

(8) No new connection on the alteration to the existing connection shall be allowed without the written orders of the authorised officer not below the rank of Superintending Engineer. Such new connections/alterations shall be made by such person(s) as may be permitted by the authorised officer and these shall remain open for inspection to the authorised officer, who shall be competent to issue further directions if needed so.

(9) The authorised officer may at any time between sunrise and sunset enter upon any premises to which a private water connection has been provided for.

- (a) testing, removing, examining, repairing or replacing any pipe, stop-cock, cistern, meter or other fittings; and
- (b) detecting wastage, mis-use, contamination, etc. of the water.

(10) If any defect is noticed in the private connection under the control of the consumer due to his negligence or any other circumstances which is likely to cause wastage, mis-use or contamination of water, the authorised officer may get it disconnected until the defects are rectified and charges therefore, if any, paid by the private consumer.

(11) If any private consumer in whose premises or property any private connection has been provided with the supply pipe line wilfully or negligently omits to report within two days to the authorised officer any damage or leakages happening or appearing in any pipe connection or communication shall be deemed to have committed an offence under section 10 of the Act.

(12) Notwithstanding the ownership of pipes, stop-cock, meter and other appurtenances of private connection, the connection as a whole shall be under the control of the authorised officer.

(13) The authorised officer shall decide in relation to providing of water for latrines, privies, urinals and water closet in particular scheme and it shall also be lawful for the authorised officer to require use of cisterns of such sizes and description as he may direct to the said latrines, privies, urinal and water closet etc. all such cisterns shall be provided and fixed at the cost of the consumer.

(14) Every boiler for generating steam shall be supplied with water from a reservoir and not direct from the service line. Every such reservoir shall be provided with a meter, a ball valve, a detective or proper means or access for inspection thereof. The cost of aforesaid installations shall be borne by the consumer.

(15) A person who intends to get a private connection, shall submit an application in form 'A', obtainable from the authorised officer on the payment of Rs. 2/-. The connection may be sanctioned by the authorised officer not below the rank of Superintending Engineer if the availability of water in the system subject to the conditions that other public hydrants private connection are not adversely affected. The sanctioned shall be conveyed in form 'B'.

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ctions

5. (i) A person, who intends to get commercial connection shall submit an application in form 'A' obtainable from the authorised officer on payment of Rs. 2/-. The connection may be sanctioned by the authorised officer not below the rank of Superintending Engineer on the availability of water on the system, subject to the condition that other public hydrants, private connections are not adversely affected. The connection shall be allowed through a separate meter by the authorised officer and the sanction shall be conveyed in this behalf in form 'B'.

E.E
20/10
10/11

(ii) The authorised officer, with due notice shall have the power to disconnect the supply for commercial purposes if the domestic supply is found to be deficient.

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6. A consumer for new connections in urban areas shall deposit security of Rs. 50/- for domestic and Rs. 100/- for commercial connection and in rural areas, security shall be Rs. 25/- for domestic and Rs. 100/- for commercial connections.

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7. (i) For urban water supply schemes, private connections may be given by the authorised officer not below the rank of Superintending Engineer after installation of meters. E.E. 20/10/11

(ii) For rural water supply schemes, a private water connection shall be allowed on out such flat rates as may be fixed by the Government from time to time and the installation of meters is not permissible.

(iii) If the meter is provided by the Government with the water connection, the rent of meter @ Rs. 2/- per month shall be payable by the consumer. This rent shall be in addition to the water charges. Additional security of meters shall be Rs. 50/- which shall be refundable.

(iv) The meters whether provided by the Government or arranged by the consumers shall be under the control of the authorised officer, and the cost of installation of meter, fixing of pipes, appurtenances, etc., shall be paid by the consumer. The consumer shall deposit the cost intimated by the authorised officer in advance for installation of the meter.

(v) The consumer shall be fully responsible for the safe custody of water meter provided to his premises. The cost of any damage, repair replacement of the meter shall be payable by the consumer who will be responsible to ensure that there is no damage or tampering

to the meter is done. The decision of the authorised officer shall be final and binding on the consumer. Such cost may be recovered from the consumer alongwith the water charges and in case he fails to pay the same within the period specified, the connection may be disconnected without any further notice. Arrears on this account will be adjusted from the security falling which the same shall be recovered as arrears of land revenue.

(vi) The consumer shall submit an application accompanied by a fee of Rs. 20/- for the purpose of testing or examining or repairing or replacing a meter. In case the meter is proved to be fast/slow by 5% or more, the cost of the testing will be borne by the Government and the advance money deposited by the consumer shall be adjusted in the future bills, otherwise this advance shall not be refunded or adjusted.

(vii) If any defect is noticed in the working of the meter, average of atleast 12 months or the water tax or the previous reading at the time of installation of meter whichever is less will be recovered.

8. (i) In the urban area, the local authority shall make the payment of supply of water made through public hydrants, street taps, etc. to the Assistant Engineer concerned and collect the bills from the individual consumer family at their own level. In urban areas scheme which are being maintained by the Government the concerned Assistant Engineer shall collect the water charges and also issue the bills to the consumers directly.

(ii) In rural areas for private connections, the charges shall be collected by the Lambardars. Out of the collection charges made 20% towards commission shall be deducted by the Lambardars and the balance amount shall be deposited in the Treasury in the following head of account:-

water 0215-Water supply and Sanitation, 01 water Supply, Receipts for Rural WSS.

The Lambardars will deposit the amount so collected in the Treasury within 15 days of collection failing which they will not be entitled for commission.

water In the urban areas for private connections the charges as applicable shall be paid to the Assistant Engineer concerned and shall be debited to the following Head of Account,

0215 Water Supply Sanitation, 01 Water Supply 103-Receipts for Urban WSS.

(iii) The bills for consumption of water, rent of meter and other charges if any, shall be presented as regularly as possible. The interval between two successive bills being one month to three months in case of urban water supply scheme and 2 to 6 months in case rural water supply schemes. The payment thereof shall be made by the consumer within 15 days of the date of issue of the bills. If the payment is not made within the stipulated period, a surcharge of 10% shall be imposed extra. If the payment is not made for another 15 days ~~alongwith~~ alongwith the surcharge, the authorised officer may deposit. In case no security deposit is lying or the amount of security is less, the same shall be recovered as arrears of land revenue. Fee for reconnection shall be Rs. 20/- and can be considered on submission of application on plain paper to the authorised officer.

(iv) The authorised officer shall file a complaint against the person whosoever commits a breach of any provision of the Act or rules before a such Magistrate to take the cognizance of the case as the Government may direct in this behalf.

By Order,

By Order,

Commissioner-cum-Secretary (IPH) to the
Government of Himachal Pradesh.

No. IPH-(3)14/84, Dated: Shimla-2, the 30-12-1989.

Copy forwarded to:

1. The Controller, Printing & Stationery, H.P. Govt. Press, Shimla-5 for publication in the H.P. Rajpatra (Extra Ordinary) and a copy thereof be supplied to this deptt.
2. All the Secretaries/Special Secretaries/Joint Secretaries/Deputy Secretaries/Under Secretaries to the Govt. of H.P.
3. The Secretary (Law) to the Govt. of H.P.
4. The Secretary, H.P. Vidhan Sabha, Shimla-4.
5. All the Heads of Department in H.P.
6. All the Deputy Commissioners in Himachal Pradesh.
7. The Private Secretaries to the Chief Minister/Ministers/Ministers of the State/Parliamentary Secretary.
8. The Deputy Legal Remembrancer, to the Govt. of H.P.
9. The Engineer-In-Chief (IPH) H.P. US, Club, Shimla-1.
10. The Chief Engineer (North) IPH Deptt. Dharamsela.

Sd/-

Deputy Secretary (IPH) to the
Govt. of Himachal Pradesh.

(See Rule 4(15))

APPLICATION TO TAKE NEW DOMESTIC/COMMERCIAL WATER CONNECTION/
EXTENSION OF WATER CONNECTION.

(Cross out any of the words which are not
applicable)

To

The Executive Engineer,

1. Name of House
2. Locality
3. Year of construction
4. Name of owner of the building
5. Name of person desiring to have the connection, whether
owner or tenant
6. Is the connection sought for a new or old construction
.....
7. In case of new construction, has the completion plan
been approved from the competent authority
8. Size of communication pipe
9. Number of flushing cisterns required (if any) with
description and other fittings required
10. Detail of existing fitting
11. Name and signatures of the owner/tenant
12. Address of the owner/tenant for correspondence

Applicant,

Signature of the
sanctioning authority.

Executive Engineer.

Foot note:-This application should be accompanied by a site
plan showing nearest water mains and points
where connections are desired.

FORM 'B'

(See rule 4(15))

Govt. of Himachal Pradesh
Irrigation & Public Health Deptt.

No.

Dated:-

To

Subject:- House connection.

Ref:- Your application No. _____ dated _____

sanctioned to your house/premises on flat rate/metered water rate basis subject to the under noted conditions:-

1. The pipelines and other necessary appurtanances to your house /premises shall be laid by you at your cost from the supply line.
2. The pipeline shall be provided with wheel valve and water meter provided in a masonry chamber as per drawing having proper locking arrangements at your cost.
3. Water meter may be provided by the Government for connection or you may be required to provide the same. In case it is provided by the Government, you shall be liable to pay Rs.2/-per month towards the rental charges besides water charges. You shall also construct another masonry chamber of 30 cmx32cm size as per drawing between the chamber for meter and water tap to provide another wheel valve at your cost whereby the consumption or the leakage of water could be controlled by you. The key of the lock of this chamber shall remain in your custody.
4. You shall arrange permission of the land owner to allow the laying of the pipeline from the supply line to your house/premises through private land if any.
5. The connection shall be provided to you at your risk and the Government does not accept the liability of supply of water to your house/premises on account of scarcity of water in the scheme.
6. The Government shall reserves the right to withdraw the sanction in case it is found that your connection adversely affects the supply of water in the scheme.
7. You shall be responsible to ensure that the meter is in your safe custody and the seal is not tampered with.
8. You shall deposit Rs.50/- or Rs.100/- towards security.

contd...

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9. The water rate as notified by the Govt. from time to time shall be payable by you regularly within 15 days of the presentation of the bill whereafter the surcharges of 10% shall be leviable. In case of default of payment or delay by the next 15 days, the authorised officer shall be at liberty to disconnect your house/premises connection and adjust the bill as per rules notified under Act.

10. If you agree to the above terms and conditions, you are requested to contact the Assistant Engineer, IPH. Sub-Division, HPPWD _____ HG and deposit necessary amount for getting the connection.

11. The action shall, however, be taken only after the above terms and conditions have been fulfilled and all the arrangements have been found to be satisfactory inspection by the authorised representative of this Department.

Authoritative English Text

Government of Himachal Pradesh
Irrigation & Public Health Department

No. IPH (3) 14/84, dated Shimla-171002, the 14.1.91

Notification

In exercise of the powers conferred by section 11 of the Himachal Pradesh Water supply Act, 1966 (Act No. 9 of 1969) the Governor of Himachal Pradesh is pleased to make the following rules, to amend the Himachal Pradesh water supply Rules, 1989, published in the Rajprta, Himachal Pradesh, dated 17th February, 1990 vide this Government Notification of even number dated 30th December, 1989, namely :-

Short title: 1. (i) These rules shall be called the Himachal Pradesh Water Supply (Amendment) Rules, 1990.

Amendment of rule-4, . . . 2. In rule 4 of the Himachal Pradesh Water supply Rules, 1989 (hereinafter called the) " said rules" for the words " Superintending Engineer", wherever they occur, the words " Executive Engineer " shall be substituted .

Amendment of Rule 5 3. In sub rule (i) of rule 5 of the said rules, for words " Superintending Engineer ", the words " Executive Engineer " shall be substituted .

Amendment of rule 7 4. In sub rule (i) of rule 7 of the said rules, for the words " Superintending Engineer", the words "Executive Engineer" shall be substituted.

By order

Commissioner-Cum-Secretary (IPH) to the
Government of Himachal Pradesh.

No. IPH (3) 14/84, dated Shimla- 171002, the 14.1.91
Copy forwarded for information and necessary action to :-

1. The Controller, H.P. Printing & Stationery Shimla-5 for publication in Rajprta.
2. All the Secretary/Special Secretaries/ Joint Secretaries/ Deputy Secretaries/Under Secretaries to the Govt. of H.P. Shimla.
3. The Secretary (law) of the Govt. of H.P, Shimla-2.
4. The Secretary, H.P. Vidhan Sabha Shimla-171001.
5. All the Heads of Deptt. in H.P.
6. All the Deputy Commissioner in H.P.
7. The Private Secretaries to Hon'ble CM/Minister/State Minister, H.P.
8. The Deputy Legal Member to the Govt. of H.P.
9. The Engineer-in-Chief (IPH) H.P. U.S. club Shimla-1.
10. The Chief Engineer (North) IPH, Deptt, Dharamsala for W/A.
11. The Asstt. Legislative Draftsman (English) Legislation cell English) Law Deptt. H.P. Sectt. Shimla-2.

S/-
As above.

No.IPH-PH-17-4/2008- 8399-8918
Himachal Pradesh
Irrigation & PH Department

Dated Shimla-1, the 28th March, 2008

To

All the Chief Engineers
In IPH Department,

SUB:- REGARDING WATER CONNECTION.

Your attention is invited to Government notification No.IPH-(3)14/84 dated 30.12.1989 where by rules have been formulated as per provisions of Sec-II to WSS Act 1968. Under rules form A & B have been prescribed for applying and sanctioning of water connection under the scheme.

As per prevailing practice to fulfill the requirement, applicants are to obtain a certificate from Patwari as ownership proof. Keeping in view the difficulty being encountered for procuring such certificates, it is now decided that applicants are allowed to add an averment with regard to his ownership of property where the private tap is being proposed to be sanctioned in the affidavit itself which normally being submitted with application form covering various other requirements as in vogue. This instruction may please be brought to the notice of all the Executive Engineers for implementation with immediate effect. This instruction is valid both for RWSS/UWSS which are being maintained by IPH Department.

[Signature]
Engineer-in-Chief (IPH)
IPH Department
Himachal Pradesh-Shimla-1

- Copy to the Private Secretary to the Hon'ble IPH Minister for favour of information pl.
- Copy to the Secretary (IPH) to the Govt. of HP for kind information pl.
- Copy to all the Superintending Engineers, IPH Department in Himachal Pradesh.

[Signature]
Engineer-in-Chief (IPH)
IPH Department
Himachal Pradesh-Shimla-1

Pl. put it on file too.
28/3/08