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## **U. P. Kshettra Samitis and Zila Parishads Adhiniyam, 1961 (Excerpts)**

(Excerpts - water supply and sanitation provisions)

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## U. P. KSHETTRA SAMITIS AND ZILA PARISHADS ADHINIYAM, 1961

[U. P. Act No. XXXIII of 1961]

*[Authoritative English text of the Uttar Pradesh Kshettra Samitis and Zila Parishads Adhiniyam, 1961]*

### PROTECTION OF SOURCES OF WATER-SUPPLY

**193. Power to require private watercourse, etc. to be cleaned or closed. -** (1) The Kshettra Samiti may, and when so required by the Zila Parishad shall, by notice, require the owner of, or the person having control over a private water-course, spring, tank, well or other place, the water of which is used for drinking, to keep and maintain the same in good repair and to clean the same, from time to time, of silt, refuse or decaying vegetation, and may also require him to protect the same from pollution in such manner as the Kshettra Samiti may think fit.

(2) When the water of any such water-course, spring, tank, well or other place is proved to the satisfaction of the Parishad or the Kshettra Samiti to be unfit for drinking the Parishad or the Kshettra Samiti may, by notice, require the owner or person having control thereof to desist from so using such water or permitting others to so use it, and if, after such notice, such water is used by any person for drinking, the Parishad or the Kshettra Samiti, as the case may be, may, by notice, require the owner or person having control thereof to close such well, either temporarily or permanently or to enclose or fence such water-course, spring, tank, well or other place in such manner as it may direct so that the water thereof may not be so used.

**194. Emergent powers on outbreaks of epidemic. -** In the event of the rural area of the district, or any part thereof, being visited with an outbreak of cholera or other infectious disease notified in this behalf by the State Government, the Adhyaksha of the Parishad or the Pramukh of the Kshettra Samiti, or any person authorized by any of them in this behalf, may, during the continuance of the epidemic, without notice and at any time, inspect and disinfect any well, tank or other place from which water is, or is likely to be, taken for the purpose of drinking, and may further take such steps as he deems fit to prevent the removal of water therefrom.

**195. Removal of latrines, etc. near any source of water supply. -** The Parishad or the Kshettra Samiti may, by notice, require an owner or occupier on whose land a drain, privy, latrine, urinal, cesspool or other receptacle for filth or refuse exists within fifty feet of a spring, well, tank, reservoir or other source from which water is, or may be, derived for public use, to remove or close the same within one week from the service of such notice.

**196. Unauthorized construction, etc over drain of water work.-** (1) Where, on or after the commencement of this Act, any street has been made or any building, wall or other structure has been erected or any tree has been planted without the permission in writing of the Parishad or as the case may be, of the Kshettra Samiti over a public drain or culvert or a water work vested in it, the Parishad or the Kshettra Samiti, as the case may be, may-

- (a) by notice require the person who has made the street, erected the structure or planted the tree, or the owner or occupier of the land on which the street has

been made, structure erected or tree planted, to remove or deal in any other way the Parihshad or the Kshettra Samiti, as the case may be, thinks fit with the street, structure or tree, or

- (b) itself remove or deal in any other way it thinks fit with the street, structure or tree.

(2) Any expense incurred by the Parishad or the Kshettra Samiti by action taken under clause (b) of sub-section (1) shall be recoverable in the manner prescribed by Chapter VIII from the person by whom the street was made, structure erected or tree planted.

## **SANITATION AND PREVENTION OF DISEASE**

**210. Latrines for factories, schools and places of public resort.**-The Parishad may require by notice any person employing more than twenty workmen or labourers or owning, managing or having control of a market, school or theatre or other place of public resort to provide such latrines and urinals as it may deem fit, and to cause the same to be kept in proper order and to be daily cleaned:

Provided that nothing in this section shall apply to a factory regulated by the Factories Act, 1948.

**211. Power to require removal of nuisance arising from tanks, etc.**-The Parishad may by notice require the owner or occupier of any land or building to cleanse, repair, cover, fill up or drain off a private well, tank, reservoir, pool, depression or excavation therein which may appear to the Parishad to be injurious to health or offensive to the neighbourhood:

Provided that the owner or occupier may require the Parishad to acquire at its expense, or otherwise provide, any land or rights in land necessary for the purpose of effecting drainage ordered under the foregoing provision.

**212. Cleaning filth.**-Should any land be in a filthy or unwholesome state the Parishad may, by notice, require the owner thereof to cleanse, or otherwise put in a proper state, the land, and thereafter to keep the same in a clean and proper state.

**213. Regulation of the disposal of rubbish, night-soil, etc.**-(1) The Parishad may in any controlled rural area-

- (a) provide, receptacles and places for the temporary deposit of offensive matter and rubbish;
- (b) appoint places for the disposal of night-soil, and other offensive matter and rubbish, and
- (c) by public notice issue directions as to the time, manner and conditions at, in and subject to which any offensive matter or rubbish referred to in clauses (a) and (b) may be removed along a street, deposited or otherwise disposed of.

(2) It shall be sufficient notice of the appointment of a place under clause (b) of sub-section (1) that a notice-board indicating such appointment is displayed on or near the place appointed.

**214. Penalty for improper disposal of rubbish, night-soil, etc.**-The occupier of any building or land from which any offensive matter, rubbish, or night-soil is thrown or deposited on any part of a public drain, or into any drain communicating with a public drain, otherwise than in a place appointed under clause (a) or in a receptacle or place provided under clause (a) of sub-section (1) of Section 213, and any person contravening any direction of a Parishad issued under clause (c) of the said sub-section shall be liable, upon conviction, to a fine not exceeding twenty rupees.

**215. Penalty for discharging sewage on public street, etc.**-In specified areas, whenever the water of a sink, sewer or cesspool, or any other offensive matter is allowed to flow, drain or be put upon a public street or place, or into a sewer or drain not set apart for the purpose without the permission in writing of the Parishad or in contravention of any condition prescribed in such permission, the owner or occupier of the land or buildings from which such water or offensive matter flows, drains or is put, shall be liable upon conviction, to a fine which may extend to twenty rupees.