



International Environmental
Law Research Centre

New Delhi Municipal Council Act, 1994 (excerpts)

(Excerpts - water supply and sanitation provisions)

This document is available at ielrc.org/content/e9404.pdf

For further information, visit www.ielrc.org

Note: This document is put online by the International Environmental Law Research Centre (IELRC) for information purposes. This document is not an official version of the text and as such is only provided as a source of information for interested readers. IELRC makes no claim as to the accuracy of the text reproduced which should under no circumstances be deemed to constitute the official version of the document.

THE NEW DELHI MUNICIPAL COUNCIL ACT, 1994

CHAPTER - III

Functions of the Council

Section 11: Obligatory functions of the council.- Subject to the provisions of this act and any other law for the time being in force, it shall be incumbent on the Council to make adequate provisions by any means or measures which it may lawfully use or take, for each of the following matters, namely:-

- (b) the construction and maintenance of works and means for providing supply of water for public and private purposes;
- (d) the construction or purchase, maintenance extension, management for- (ii) providing and sufficient supply of pure and wholesome water;

CHAPTER – XI

WATER SUPPLY, DRAINAGE AND SEWAGE COLLECTION

GENERAL

145. Definitions.

In this Chapter, unless the context otherwise requires, the following words and expression in relation to water supply shall have the respective meanings given below, namely: -

- (1) "communication pipe" means, -
 - a) where the premises supplied with water abut on 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 at the junction of the service pipe with the main, 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.
- (2) "main" means a pipe laid by the Council for the purpose of giving a general supply of water as distinct from a supply to individual consumers and includes any apparatus used in connection with such a pipe.
- (3) "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.
- (4) "supply pipe" means so much of any service pipe as is not a communication pipe.
- (5) "trunk main" means a main constructed for the purpose of conveying water from a source of supply to a filter or reservoir or from one filter or reservoir to another filter or reservoir, or for the purpose of conveying water in bulk from one part of the limits of supply to another part of those limits, or for the purpose of giving or taking a supply of water in bulk.
- (6) "water fitting" includes pipes (other than mains), taps cocks, valves, ferrules, meters, cisterns, baths and other similar apparatus used in connection with the supply and use of water.

146. Council may carry out surveys and formulate proposals.

- (1) The Council may -
 - (a) carry out a survey of the existing consumption of and demand for water supplies in New Delhi and of the water resources in or likely to be made available in New Delhi;
 - (b) prepare an estimate of the future water supply requirements of New Delhi
 - (c) carry out a survey of the existing quantity of sewage collection;
 - (d) formulate proposals as to –
 - (i) the existing or future water supply requirements of New Delhi

- (ii) the existing or future sewage collection requirement in New Delhi including proposals for the manner in which and the place or places at which sewage should be carried and collected.
- (2) If the Council is of the opinion that the works and other properties for the time being vested in the Council, are inadequate for the purpose of sufficient supply of water or for the purpose of efficient collection of sewage under this Act it may take step in accordance with the provisions of this Act for the construction of additional works, whether within New Delhi or outside New Delhi with the approval of the Administrator and for the acquisition of additional properties for such works.

WATER SUPPLY

147. Functions in relation to water supplies.

- (1) It shall be the duty of the Council to take steps from time to time,
- (a) for ascertaining the sufficiency and wholesomeness of water supplies within New Delhi and receiving bulk supplies of water from the authority prescribed by the Central Government;
 - (b) for providing a supply of wholesome water in pipes to every part of New Delhi in which there are houses, for the domestic purposes of the occupants thereof, and for taking the pipes affording that supply to such point or points as will enable the houses to be connected thereto at a reasonable cost, so, however, that this clause shall not require the Council to do anything which is not practicable at a reasonable cost or to provide such a supply to any part of New Delhi where such a supply is already available at such point or points aforesaid;
 - (c) for providing as far as possible, a supply of wholesome water otherwise than in pipes to every part of New Delhi in which there are houses, for the domestic purpose of the occupants thereof and to which it is not practicable to provide a supply in pipes at a reasonable cost, and in which danger to health arises from the insufficiency or unwholesomeness of the existing supply and a public supply is required and can be provided at a reasonable cost, and for securing that such supply is available within a reasonable distance of every house in that part.
- (2) If any question arises under clause (b) of sub-section (1) as to whether anything is or is not practicable at a reasonable cost or as to the point or points to which pipes must be taken in order to enable houses to be connected to them at a reasonable cost, or under clause (c) thereof, as to whether a public supply can be provided at a reasonable cost, the Council shall determine that question and thereupon it shall give effect to the determination. .
- (3) Without prejudice to the provisions of sub-section (1), the Chairperson shall, for the purpose of securing, so far as is reasonably practicable, that every house has available a sufficient supply of wholesome water for domestic purposes, exercise his powers under this Act of requiring the owners of houses to provide a supply of water thereto.
- (4) The Council shall secure that the water in any water works belonging to the Council from which the water is supplied for domestic purpose is wholesome.

148. Water supplied for domestic purposes not to be used for non-domestic purposes.

No person shall, without the written permission of the Chairperson, use or allow to be used for other than domestic purposes water supplied for domestic purposes.

149. Supply of water for domestic purposes not to include any supply for certain specified purposes.

The supply of water for domestic purposes under this Act shall not be deemed to include any supply-

- (a) for animals or for washing vehicles where such animals or vehicles are kept for sale or hire;
- (b) for any trade, manufacture or business;
- (c) for fountains, swimming baths or any ornamental or mechanical purpose;
- (d) for gardens or for purposes of irrigation;
- (e) for making or for watering streets; or
- (f) for building purposes.

150. Power to supply water of non-domestic purposes.

(1) The Chairperson may supply water for any purpose other than a domestic purpose on such terms and condition consistent with this Act and bye-laws made thereunder as may be laid down in this behalf by the Council on receiving a written application specifying the purpose for which the supply is required and the quantity likely to be consumed.

(2) When a application under sub-section (1) is received, the Chairperson may subject to such charges and rates as may be fixed by the Council, place or allow to be placed the necessary pipes and water fittings of such dimensions and character as may be prescribed by bye-laws and may arrange for the supply of water through such pipes and fittings.

151. Use of water for extinguishing fire.

Water may be used for extinguishing fire.

152. Power to require water supply to be taken.

(1) If it appears to the Chairperson that any premises in New Delhi are without supply of wholesome water for domestic purposes or that the existing supply of water for domestic purposes available for the persons usually occupying or employed in such premises is inadequate or on any sanitary grounds objectionable or the persons primarily liable for the payment of the property tax in respect of the same -

- (a) to take a connection from the municipal water works adequate for the requirements of the persons occupying or employed in the premises, or to take such additional or enlarged connection or connections from the municipal water works; and
- (b) to provide, supply pipes and water fittings, install and work a pump and do all such works and take all such measures as may, in the opinion of the Chairperson be necessary for the above purposes.

(2) The Chairperson may in the notice issued under sub-section (1) specify -

- (a) the size, material and quality of the pipes and water fittings to be provided;
- (b) the position of the pipes and water fittings to be provided; .
- (c) the means of access for the inspection of the pipes and water fittings;
- (d) the type of pump that should be installed and the period or periods of the day for which it should be kept working;
- (e) the period within which any or all requisitions specified in the notice should be carried out.

153. New premises not to be occupied without arrangement for water supply.

It shall not be lawful for the owner of any premises which may be newly constructed or reconstructed within any portion of New Delhi to occupy it or cause or permit it to be occupied until he has obtained a certificate from the Chairperson that there is provided within, or within a reasonable distance of, the premises such supply of wholesome water as appears to the Chairperson to be adequate for the persons who may occupy, or be employed in, such premises for their domestic purposes

154. Public gratuitous water supply.

(1) The Chairperson with the approval of the Council may provide gratuitous supply of wholesome water to the public within New Delhi and may, for that purposes, erect public hydrants or other conveniences.

(2) The Chairperson may with like approval close a public hydrant or other convenience when it is no longer required for the supply of wholesome water to the public.

155. Power to lay mains.

(1) The Chairperson may lay a main whether within or without the local limits of the Council -

(a) in any street; and

(b) with the consent of every owner and occupier of any land not forming part of a street, in, over or on that land, and may, from time to time, inspect, repair, alter or renew or may at any time remove any main so laid whether by virtue of this section or otherwise:

Provided that where a consent required for the purpose of this sub-section is withheld, the Chairperson may, after giving the owner or occupier of the land a written notice of his intention so to do, lay the main in, over or on that land even without such consent.

(2) Where the Chairperson, in exercise of the powers under this section, lays a main in, over or on any land not forming part of a street, or inspect, repairs, alters, renews or removes a main so laid down in, over or on any such land, he shall pay compensation to every person interested in that land for any damage done to, or injurious affection of that land by reason of the inspection, laying, repair, alteration, renewal or removal of the main.

156. Power to lay service pipes, etc.

(1) The Chairperson may, in any street whether within or without the local limits of the council lay such service pipes with such stopcocks and other water fittings as he may deem necessary for supplying water to premises and may, from time to time, inspect, repair, alter or renew and may, at any time, remove any service pipe laid in a street whether by virtue of this section or otherwise.

(2) Where a service pipe has been lawfully laid in, over, or on the land not forming part of a street, the Chairperson may from time to time enter upon that land and inspect, repair, alter, renew or remove the pipe or lay a new pipe in substitution thereof but shall pay compensation for any damage done in the course of such action.

157. Provision of fire hydrants.

(1) The Chairperson shall fix hydrants on water mains (other than trunk mains) at such places as may be most convenient for affording a supply of water for extinguishing any fire which may break out and shall keep in good order and from time to time renew every such hydrant.

(2) To denote the situation of every hydrant placed under this section, letters, marks or figures shall be displayed prominently on some wall, building or other structure near such hydrant.

(3) As soon as any such hydrant is completed, the Chairperson shall deposit a key thereof at each place where a public fire engine is kept and in such other places as he deems necessary.

(4) The Chairperson may, at the request and expense of the owner or occupier of any factory, workshop, trade premises or place of business situated in or near a street in which a pipe is laid (and not being a trunk main and being of sufficient dimensions to carry a hydrant), fix on the pipe and keep in good order and from time to time renew one or more fire hydrants, to be used only for extinguishing fires as near as conveniently may be to that factory, workshop, trade premises or place of business.

(5) The Chairperson shall allow all persons to take water for extinguishing fires from any pipe on which a hydrant is fixed without any payment.

158. Supply of water.

(1) The Chairman may permit the owner, lessee or occupier of any premises to connect the premises by means of supply pipes for conveying to the premises a supply of water for his domestic purposes from the municipal water works subject to the requirements specified in section 159 and the conditions, if any, laid down in the bye-laws made in this behalf.

(2) The owner of every premises connected with the municipal water works, shall, when so required by the Chairperson, set up electric pumps or other contrivances whereby water may be caused to reach to the top of the top-most story of such premises.

159. Laying of supply pipes, etc.

(1) An owner, lessor or occupier of any premises, who desires to have a supply of water for his domestic purposes from the municipal water works, shall comply with the following requirements, namely: -

(a) he shall give to the Chairperson fourteen days notice of his intention to lay the necessary supply pipe; and

(b) he shall lay the supply pipe at his own expense, having first obtained, as respects any land not forming part of a street, the consent of the owners or occupiers thereof :

Provided that where any part of the supply pipe is to be laid in a street, he shall not himself break open the street or lay that part of the pipe.

(2) Upon the receipt of such a notice as is referred to in sub-section (1), the Chairperson shall lay the necessary communication pipe and any part of the supply pipe which is to be laid in street shall connect the communication pipe with the supply pipe.

(3) The expenses, reasonably incurred by the Chairperson in executing the work which he is required or authorized by this section to execute, shall be repaid to him by the person to whom the notice was given and may be recovered from such person as an arrear of tax under this Act:

Provided that if under the provisions of this section, the Chairperson lays a main in lieu of a supply pipe, the additional cost incurred in laying the main instead of a supply pipe shall be borne by him.

(4) Notwithstanding anything contained in the foregoing provisions of this section, the Chairperson may, within a reasonable time after the service of the notice upon him, require the person giving the notice either to pay to him, in advance the cost of the work, as estimated by the Chairperson or any officer authorized by in this behalf or to give security for payment thereof to his satisfaction.

(5) If any payment made to the Chairperson under sub-section (4) exceeds the expenses which the Chairperson would be entitled to recover from the person giving the notice, the excess shall be repaid by him and if and so far as those expenses are not covered by the payment, the Chairperson may recover the balance from such person as an arrear of tax under this Act.

160. Power to require separate service pipes.

(1) The Chairperson may require the provision of a separate service pipe for each of the premises supplied or to be supplied by him with water.

(2) If, in the case of any premises already supplied with water but not having a separate service pipe, the Chairperson gives notice to the owner of the premises requiring the provision of such a pipe, the owner shall, within three months, lay so much of the required pipe as will constitute a supply pipe and is not required to be laid in a street, and the Chairperson, shall, within fourteen days after the owner has done so, lay so much of the required pipe as will constitute a communication pipe or a supply pipe to be laid in a street and make all necessary communications.

(3) If an owner upon whom a notice has been served under sub-section (2) fails to comply therewith the Chairperson may himself execute the work which the owner was required to execute and recover the expenses reasonably incurred by him in executing the work as an arrear of tax under this Act.

161. Stopcocks.

(1) On every service pipe laid after the commencement of this Act the Chairperson, shall, and every service pipe laid before such commencement, Chairperson may, fit a stopcock enclosed in a cover box or a pit of such size as may be reasonably necessary.

(2) Every stopcock fitted on a service pipe after the commencement of this Act shall be placed in such position as the Chairperson deems most convenient:

Provided that -

- (a) a stopcock service in private premises shall be placed as near as is reasonably practicable to the street from which the service pipe enters those premises; and
- (b) a stopcock in a street shall be placed as near to the boundary thereof as is reasonably practicable.

162. Power of Chairperson to provide meters.

(1) The Chairperson may provide a water-meter and attach the same to the service pipe in premises connected with municipal water works.

(2) The expense of providing and attaching a meter under sub-section (1) shall be paid out of the New Delhi Municipal Fund.

(3) The use, rent to be paid for such use, maintenance and testing of meters shall be regulated by order made by the Council in this behalf.

163. Presumption as to correctness of meters.

(1) Whenever water is supplied under this Chapter through a meter it shall be presumed that the quantity indicated by the meter has been consumed until the contrary is proved.

164. Prohibition of waste or misuse of water

(1) No person shall willfully or negligently cause or suffer any water fitting which he is liable to maintain,-

- (a) to be or remain so out of order or so in need of repair, or
- (b) to be or remain so constructed or adapted or to be so used, that the water supplied to him by the Council is or is likely to be wasted, misused or unduly consumed, or contaminated before use, or that foul air or any impure matter is likely to return into any pipe belonging to, or connected with, a pipe belonging to the council

(2) If any water fittings which any person is liable to maintain is in such a condition, or so constructed or adapted as aforesaid, the Chairperson, without prejudice to his right to proceed against the person under any other provision of this Act may require that person to carry out any necessary repairs or alterations and if he fails to do so within forty-eight hours, may himself carry out the work and recover from him the expenses reasonably incurred by him in so doing, as an arrear of tax.

165. Power to enter premises to detect waste or misuse of water.

The Chairperson or any municipal officer authorized by the Chairperson in writing may, between sunrise and sunset, enter any premises supplied with water by the Council in order to examine if there be any waste or misuse of such water and the Chairperson or such officer shall not be refused admittance to the premises nor shall be obstructed by any person in making his examination.

166. Power to test water fittings.

The Chairperson may test any water fitting used in connection with water supplied by the Council.

167. Power to close or restrict use of water from polluted source of supply.

(1) If the Chairperson is of opinion that the water in or obtained from any well, tank or other source of supply not vested in the Council, being water which is or is likely to be used for domestic purposes, or for the preparation of food or drink for human consumption, is or is likely to become so polluted as to be prejudicial to health, the Chairperson may, after giving the owner or occupier of the premises in which the source of supply is situated a reasonable opportunity of being heard, by order, direct that the source of supply be permanently or temporarily closed or cut off or the water therefrom be used for certain purposes only or make such order as appears to him necessary to prevent injury or danger to the health of persons using the water or consuming food or drink prepared therewith or therefrom.

(2) Before making any order under this section, the Chairperson may cause the water to be analyzed at the cost of the Council.

(3) If the person to whom an order is made under this section fails to comply therewith, the Chairperson may do whatever may be necessary for giving effect to the order, and any expenses reasonably incurred by him in so doing may be recovered by him from the person in default as an arrear of tax under this Act.

168. Water pipes, etc, not to be placed where water will be polluted.

(1) No water pipes shall be laid in a drain or on the surface of an open channel or house gully or within six meters of a cesspool or in any position where the pipe is likely to be injured or the water therein polluted; and no well or tank and except with the consent of the Chairperson, no cistern shall be constructed within six metres of a latrine, or cesspool.

(2) No latrine, or cesspool shall be constructed or made within six metres of any well, tank, water pipe or cistern or in any position where the pipe, well, tank or cistern is likely to be injured or the water therein polluted.

169. Power to cut off private water supply or to turn off water.

(1) The Chairperson may, subject to the conditions laid down in this behalf in the bye-laws, cut off or turn off water supply from any municipal water work to any premises or part thereof to which a private water supply is furnished by the Council.

(2) The expenses of cutting off or turning off water supply shall be paid by the owner or occupier of premises and shall be recoverable from the owner or occupier as an arrear of tax under this Act.

170. Joint and several liability of owners and occupiers for offence in relation to water supply.

If any offence relating to water supply is committed under this Act on any premises connected with the municipal water works, the owner, the person primarily liable for the payment of property tax and occupiers of the said premises shall be jointly and severally liable for such offence.

MISCELLANEOUS

183. Connection with water works and drains not to be made without permission.

Without the written permission of the Chairperson, no person shall, for any purpose whatsoever, at any time make or cause to be made any connection or communication with any drain referred to in section 172 or any water works, constructed or maintained by, or vested in, the Council.

184. Buildings, railways and private streets not to be erected or construction over drains or water works without permission.

(1) Without the written permission of the Chairperson no railway or private street shall be constructed and no building, wall, fence or other structure shall be erected on any municipal drain or on any water works constructed or maintained by, or vested in the Council.

(2) If any railway or private street be constructed or any building, wall, fence or structure erected on any drain or water works as aforesaid without the written permission of the Chairperson, the Chairperson may remove or otherwise deal with the same as he may think fit.

(3) The expenses incurred by the Chairperson 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 railway administration or the person offering and shall be recoverable as an arrears of tax under this Act.

185. Rights of user of property for aqueducts, lines, etc.

(1) The Chairperson may place and maintain aqueducts, conduits and lines of mains or pipes or drains over under, along or across any immovable property whether within or without the local limits of the Council without acquiring the same, and may at any time for the purpose of examining, repairing, altering or removing any aqueducts, conduits or lines of mains or pipes or drains, enter on any property over, under, along or across which the aqueducts, conduits or lines of mains or pipes, or drains have been placed:

Provided that the Council shall not acquire any right other than a right of user in the property over, under, along or across which any aqueduct, conduit or line of mains or pipes, or drain is placed.

(2) The power conferred by sub-section (1) shall not be exercisable in respect of any property vested in the Union or under the control or management of the Central government or railway administration or vested in any local authority save with the permission of the Central Government or railway administration or the local authority, as the case may be, and in accordance with any bye-laws made in this behalf:

Provided that the Chairperson may, without such permission, repair renew or amend any existing works of which the character or position is not to be altered if such repair, renewal or amendment is urgently necessary in order to maintain without interruption the supply of water, drainage or collection of sewage or is such that delay would be dangerous to health, human life or property.

(3) In exercise of the powers conferred upon him by this section, the Chairperson shall cause as little damage and inconvenience as may be possible, and shall make full compensation for any damage or inconvenience caused by him.

186. Power of owner of premises to place pipes and drains through land belonging to other persons.

(1) If it appears to Chairperson that the only or most convenient means of water supply to, and drainage of, any premises is by placing or carrying any pipe or drains over, under, along or across the immovable property of another person, the Chairperson may, by order in writing, authorize the owner of the premises to place or carry such pipe or drain over, under, along or across such immovable property:

Provided that before making any such order the Chairperson shall give to the owner of the immovable property a reasonable opportunity of showing cause within such time as may be prescribed by bye-laws made in this behalf as to why the order should not be made:

Provided further that the owner of the premises shall not acquire any right other than a right of user in the property over, under, along or across which any such pipe or drain is placed or carried.

(2) Upon the making of an order, under sub-section (1), the owner of the premises may, after giving reasonable notice of his intention so to do, enter upon the immovable property with assistants and workmen at any time between sunrise and sunset for the purpose of placing a pipe or drain over, under, along or across such immovable property or for the purpose of repairing the same.

(3) In placing or carrying a pipe or drain under this section, as little damage as possible shall be done to the immovable property and the owner of the premises shall-

- (a) cause the pipe or drain to be placed or carried with the least practicable delay;
- (b) fill in, re-instate and make good at his own cost and with the least practicable delay, any land opened, broken up or removed for the purpose of placing or carrying such pipe or drain; and
- (c) pay compensation to the owner of the immovable property and to any other person who sustains damage by reason of the placing or carrying of such pipe or drain.
- (d) the respective responsibilities of the parties for maintaining, repairing, flushing, cleaning and emptying the aforesaid drain.

(4) If the owner of the immovable property, over, under, along or across which a pipe or drain has been placed or carried under this section whilst such immovable property was not built upon, desire to erect any building on such property, the Chairperson shall, by notice in writing, require the owner of the premises to close, remove or divert the pipe or drain in such manner as shall be approved by him and to fill in, re-instate and make good the immovable property as if the pipe or drain had not been placed or carried over, under, along or across the same:

Provided that no such requisition shall be made unless in the opinion of the Chairperson it is necessary or expedient for the construction of the proposed building or the safe enjoyment thereof that the pipe or drain should be closed, removed or diverted.

187. Power to require railway level, etc., to be raised or lowered.

If the Council places or carries any pipe or drain or does any other work connected with the water supply or drainage across any railway line, it may, with the sanction of the Central Government and at the cost of the New Delhi Municipal Fund, require the railway administration to raise or lower the level thereof.

188. Power of Chairperson to execute work after giving notice to the person liable.

(1) When under the provisions of this Chapter any person may be required or is liable to execute any work, the Chairperson may, in accordance with the provisions of this Act and of any bye-laws made in this behalf, cause such work to be executed after giving such person an opportunity of executing the same within such time as may be specified by him for this purpose.

(2) The expenses incurred or likely to be incurred by the Chairperson in the execution of any such work shall be payable by the said person and the expenses incurred by the Chairperson in connection with the maintenance of such work shall be payable by the person or persons enjoying such amenities and conveniences.

(3) The expenses referred to in sub-section (2) shall be recoverable from the person or persons liable therefore as an arrear of tax under this Act.

189. Power of Chairperson to affix shafts, etc., for ventilation of drain or cesspool.

For the purpose of ventilating any drain or cesspool, whether vested in Council or not, the Chairperson may, in accordance with bye-laws made in this behalf, erect upon any premises or affix to the outside of any building or to any tree any such shaft or pipe as may appear to him to be necessary.

190. Power of Chairperson to examine and test drains, etc., believed to be defective.

(1) Where it appears to the Chairperson that there are reasonable grounds for believing that a private drain or cesspool is in such condition as to be prejudicial to health or a nuisance or that a private drain communicating directly or indirectly with a municipal drain is so defective as to admit sub-soil water, he may examine its condition, and for that purpose may apply any test, other than a test by water under pressure, and if he deems it necessary, open the ground.

(2) If on examination the drain or cesspool is found to be in proper condition, the Chairperson shall, as soon as possible, re-instate any ground which has been opened by him and make good any damage done by him.

191. Bulk receipt of water and delivery of sewage by the Council.

(1) The Council shall receive bulk supply of water from and deliver in bulk all the sewage to, the authority prescribed by the Central Government.

(2) The Council shall be entitled to receive bulk supply of water from, and to deliver in bulk all the sewage to, the authority prescribed under sub-section (1) subject to such charges for the supply of water in bulk to the Council and the delivery of sewage of the area of New Delhi as may be determined by means of an agreement entered into between that other authority and the Council. The agreement mentioned in this sub-section shall provide also for a stipulation therein that in case of any dispute about the payments to be made to that other authority by the Council, the matter shall be referred to the Central Government whose decision thereon shall be final and binding on both parties.

192. Employment of Government agencies for repair, etc.

The Central Government may for reason to be recorded, direct that any specified work, repair, renewal or replacement which is to be undertaken by or for the Council under this Chapter, shall be carried out on behalf of the Council by the Central Government and the Council shall pay the charges therefore at the rates and subject to the terms for the time being applicable in the case of works constructed by that Government on behalf of a local authority.

193. Work to be done by licensed plumber.

(1) No person other than a licensed plumber shall execute any work described in this Chapter and no person shall permit any such work to be executed except by a licensed plumber:

Provided that if, in the opinion of the Chairperson, the work is of a trivial nature, he may grant permission in writing for the execution of such work by a person other than a licensed plumber.

(2) Every person who employs a licensed plumber to execute any work shall, when so required, furnish to the Chairperson the name of such plumber.

(3) When any work is executed except in accordance with the provisions of sub-section (1), such work shall be liable to be dismantled at the discretion of the Chairperson without prejudice to the right of the Council to prosecute under this Act the person at whose instance such work has been executed.

(4) The Council may make bye-laws for the guidance of licensed plumbers and a copy of all such bye-laws shall be attached to every licence granted to a plumber by the Council.

(5) The Council may, from time to time, prescribe the charges to be paid to licensed plumbers for any work done by them under or for any of the purposes of this Chapter.

(6) No licensed plumber shall, for any work referred to in sub-section (5), demand or receive more than the charges prescribed therefor, under that sub-section (5), demand or receive more than the charges prescribed therefor, under that sub-section.

(7) The Council shall make bye-laws providing for -

- (a) the exercise of adequate control on all licensed plumbers;
- (b) the exercise of adequate control on all licensed plumbers;
- (c) the hearing and disposal of complaints made by the owners or occupiers of premises with regard to the quality of work done, material used, delay in execution of work, and the charges made, by a licensed plumber.

(8) No licensed plumber shall contravene any of the bye-laws made under this section or execute carelessly or negligently any work under this Act or make use of bad materials appliances or fittings.

(9) If any licensed plumber contravenes sub-section (8), his licence may be suspended or cancelled whether he is prosecuted under this Act or not.

194. Prohibition of certain acts.

(1) No person shall -

- (a) wilfully obstruct any person acting under the authority of the Council, or the Chairperson, in setting out the lines of any works or pull up or remove any pillar, post or stake fixed in the ground for the purpose of setting out lines of such work, or deface or destroy any works made for the same purpose; or
- (b) wilfully or negligently break, injure, turn on, open, close, shut off or otherwise interfere with any lock, cock, valve, pipe, meter or other work or apparatus belonging to the Council; or
- (c) unlawfully obstruct the flow of or flush, draw off, or divert, or take water from any water work belonging to the Council; or
- (d) unlawfully obstruct the flow f, or flush, draw off, divert or take sewage from any sewage work belonging to the Council or break or damage any electrical transmission line maintained by the Council; or
- (e) obstruct any officer or other employee of the Council in the discharge of his duties under this Chapter or refuse or wilfully neglect to furnish him with the means necessary for the making of any entry, inspection, examination or inquiry thereunder in relation to any water or sewage works; or
- (f) bathe in, at or upon any water or wash or throw or cause to enter therein any animal, or throw any rubbish, dirt or filth into any water work or wash or clean therein any cloth, wool or leather or the skin of any animal, or cause the water of any sink, or drain or any steam-engine or boiler or any polluted water to turn or be brought into any water work, or do any other act whereby the water in any water work is fouled or likely to be fouled.

(2) Nothing in clause (b) of sub-section (1) shall apply to a consumer closing the stopcock fixed on the service pipe supplying water to his premises so long as he has obtained the consent of any other consumer whose supply will be affected thereby.