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The Punjab Panchayati Raj Act, 1994

(Excerpts - water supply and sanitation provisions)

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PUNJAB PANCHAYATI RAJ ACT, 1994

CHAPTER III - FUNCTIONS, POWERS AND DUTIES OF GRAM PANCHAYATS

30. Functions of Gram Panchayats

Subject to such conditions as may be prescribed by the State Government from time to time, the Gram Panchayat having regard to the availability of funds at its disposal, shall perform the function specified below:

(II) Construction, repair and maintenance of community assets

- (a) any public place including its sanitation and drains;
- (b) wells, water-pumps, baolies, springs, ponds and tanks for the supply of water for drinking, washing and bathing;
- (m) supply of water for domestic use and for cattle;
- (p) maintenance of boats, ferries and all water ways;
- (r) cleaning of public roads, drains, tanks, wells and other public places;
- (s) construction and maintenance of public latrines;
- (u) management and control of washing and bathing ghats.

(V) Fisheries

Promotion and development of fisheries in the village.

34. Power to Require Removal of Encroachments and Nuisance

(1) A Gram Panchayat either suo moto or on receiving a report or other information and on taking such evidence, if any, as it thinks fit, may make a conditional order requiring within a time to be fixed in the order:

- (a) the owner or the occupier of any building or land:
 - (i) to remove any encroachment on a public street, place or drain;
 - (ii) to close, remove, alter, repair, cleanse, disinfect or put in good order any latrine, urinal, water-closet, drain cesspool or other receptacle for filth, sullage-water, rubbish or refuse or to remove or alter any door or trap or construct any drain for any such latrine, urinal or watercloset which opens on to any street drain, or to shut off such latrine, urinal or water-closet by a sufficient roof and wall or fence from the view of persons passing by or dwelling in the neighbourhood;
 - (iii) to cleanse, repair, cover, fill up, drain off deepen or to remove water from a private wall tank, reservoir, pool, pit, ditch, depression or excavation therein which may appear to the Gram Panchayat to be injurious or offensive to the neighbourhood;
 - (iv) to remove any dirt, dung, night-soil, manure or any noxious, or offensive matter therefrom and to cleanse the land or building;
- (c) the owner or occupier of any building, or property to keep his building or property in a sanitary state;

35. Power of Gram Panchayat to Make General Order

A Gram Panchayat may by general order to be published in the manner prescribed

- (a) prohibit the use of water of a well, pond or other excavation suspected to be dangerous to the public health;
- (b) regulate or prohibit the watering of cattle or bathing or washing at or near wells, ponds, or other excavations, reserved for drinking water;
- (k) regulate the observance of sanitation and taking curative and preventive measures to remove and prevent the spread of epidemics;
- (l) regulate the maintenance of water courses meant for irrigation purposes.

CHAPTER V - PROPERTY, FUNDS, FINANCE AND ACCOUNTS OF GRAM PANCHAYATS

85. Property of Gram Panchayat

(1) A Gram Panchayat shall have power to acquire, hold and dispose of property and to enter into contract:

Provided that in all cases of acquisition or disposal of immovable property by the Gram Panchayat, it shall obtain the prior approval of the State Government.

(2) All property within the local limits of the jurisdiction of Gram Panchayat of the nature hereinafter in this section specified, other than property maintained by the Central Government or the State Government or a local authority or any other Gram Panchayat, shall vest in and belong to the Gram Panchayat, and shall, with all other property of whatsoever nature of kind which may become vested in the Gram Panchayat, be under its direction, management and control, that is to say:

(b) All public streets, including the soil, stones and other materials thereof and all drains, bridges, culverts, street, erections, materials, implements and other things provided for such streets;

(c) All public channels, water courses, springs, tanks, ghats, reservoirs, cisterns, wells, aqueducts, conduits, tunnels, pipes, pumps and other water works whether made, laid or erected at the cost of the Gram Panchayat or otherwise, and all bridges, buildings, engineer works, materials and things connected therewith or appertaining thereto and also any adjacent land (not being private property) appertaining to any public tank;

Provided that water pipes and waterworks, connected therewith or appertaining thereto which with the consent of the Gram Panchayat are laid or set up in any street by the owners of any mill, factory, workshop on the like primarily for the use of their employees shall not be deemed to be public waterworks by reason of their use by the public.

(d) All public sewers and rains, and all works, materials and things appertaining thereto and other conservancy work:

Provided that for the purpose of enlarging, deepening or otherwise repairing or maintaining any such sewer or drain the sub-soil appertaining thereto shall also be deemed to vest in the Gram Panchayat.

(e) All sewage, rubbish and offensive matter deposited on streets or collected by the Gram Panchayat from streets, latrines, urinals, sewers, cesspools and other places.

88. Taxation Measures by Gram Panchayat

(4) Subject to such maximum rates w the State Government may prescribe, a Gram Panchayat may levy the following fees and rates, namely:

(b) a fee for providing sanitary arrangements at such places of worship or pilgrimage, fairs and meals within its jurisdiction as may be specified by the State Government by notification.

(c) A Water rate, where arrangement for the supply of water for drinking, irrigation or any other purpose is made by the Gram Panchayat within its jurisdiction;

(e) a conservancy rate, where arrangement for clearing private latrines, urinals and cesspools is made by the Gram Panchayat within its jurisdiction.

CHAPTER VI - CONSTITUTION OF PANCHAYAT SAMITIS AND CONDUCT OF THEIR BUSINESS

98. Establishment of Panchayat Samiti

(1) The State Government, by notification, direct that, with effect from such date as may be specified in the notification, there shall be constituted a Panchayat Samiti for every Block in a District.

119. Functions and duties of Panchayat Samiti

Subject to such exceptions and conditions as the State Government may by general or special order impose it shall be the duty of a Panchayat Samiti to provide for and make arrangements for carrying out the requirements of the area under its jurisdiction, in respect of the following matters, namely:

(3) Minor Irrigation, Water Management and Watershed Development:

(i) assisting the State Government and the Zila Parishad in the construction and maintenance or minor irrigation works; and

(ii) implementation of community and individual irrigation works;

(9) Drinking Water:

(i) establishment, repairs and maintenance of rural water supply schemes;

(ii) prevention and control of water pollution;

(iii) implementation of rural sanitation schemes;

(11) Roads, Buildings, Bridges, Ferries, Waterways and other means of communication:

(i) construction and maintenance of public roads, drains, culverts and other means of communications which are not under the control of any other local authority of the State Government;

(ii) maintenance of any buildings or other property vested in the Panchayat Samiti;

(iii) maintenance of boats, ferries and waterways including management of such public ferries as may be entrusted to the charge of a Panchayat Samiti under section 7-A of the Northern Indian Ferries Act, 1878;

149. Fixation Measures by Panchayat Samitis

(1) Subject to the general direction and control of the State Government and with the previous sanction of the Zila Parishad, the Panchayat Samitis may levy taxes, duties, cess and fees In accordance with the procedure specified in Section 150,

(c) levy the following fees and rates, namely:

(ii) a fee for providing sanitary arrangements at such places of worship or pilgrimage, fairs and meals within its jurisdiction as may be specified by the State Government by notification;

(v) a water rate, where arrangement for the supply of water for drinking irrigation or any other purpose is made by the Panchayat Samiti within its jurisdiction.

(2) The Panchayat Samiti shall not undertake registration of a vehicle or levy fee therefore and shall not provide sanitary arrangements at places of worship or pilgrimage, fairs and melas within its jurisdiction or levy fee therefore if any, such vehicle has already been registered by any other authority under any law for the time being in force or if such provisions for sanitary arrangement as already been made by any other local authority.

CHAPTER VII - CONSTITUTION OF ZILA PARISHADS AND CONDUCT OF THEIR BUSINESS

161. Establishment of Zila Parishads

(1) The State Government shall, by notification, direct that from the date which may be specified in the notification, there shall be constituted a Zila Parishad having jurisdiction, save as otherwise provided in this Act, over the entire district excluding such portions of the district as are included in a municipality or cantonment area or are under the authority of a municipal corporation or a notified area committee constituted under any law for the time being in force.

180. Functions of Zila Parishads

(1) Subject to such conditions as may be specified by the State Government from time to time, the Zila Parishad shall perform the following functions, namely:

(2) Irrigation ground water resources and Watershed Development:

(i) construction, renovation and maintenance of minor irrigation works and lift Irrigation;

(ii) providing for the timely and equitable distribution and full use of water under irrigation schemes under the control of the Zila Parishad;

(iii) development of ground water resources;

(iv) installation of Community Pump Sets and water works;

(v) watershed development programmes.

(12) Fisheries

(i) fish seed production and distribution;

- (ii) development of pisciculture in private and community tanks;
- (iii) development of inland fisheries;
- (iv) fish curing and drying;
- (v) assistance to traditional fishing;
- (vi) organizing fish marketing co-operative; and
- (vii) welfare schemes for the uplift and development of fishermen.

184. Standing Committee of Zila Parishads

- (1) The Zila Parishad shall have the following standing Committees, namely:
- (a) General Committee;
 - (b) Finance Audit and Planning Committee;
 - (c) Social Justice Committee;
 - (d) Education and Health Committee;
 - (e) Agriculture and Industry Committee;

185. Functions of the Standing Committee of Zila Parishad.

- (4) The Education and Health Committee shall perform the following functions, namely:
- (e) maintenance of drainage, health services, hospitals, water supply, family welfare and other allied matters.