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Arunachal Pradesh Panchayati Raj Act, 1997

(Excerpts - water supply and sanitation provisions)

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ARUNACHAL PRADESH PANCHAYATI RAJ ACT, 1997

CHAPTER III - GRAM PANCHAYAT

30. The Gram Panchayat shall perform such of the assigned functions enumerated in Schedule I, subject to such condition as may be specified by the State Government from time to time.

33. (1) For the improvement of sanitation, a Gram Panchayat shall have the power to do all acts necessary for, and incidental to, the same and in particular and without prejudice to the generality of the foregoing power, a Gram Panchayat may by order require the owner or occupier of any land or building within such reasonable period as may be specified in the notice served upon him and after taking into consideration his financial position:

(a) 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, rubbish or refuse pertaining to such land or buildings, or to remove or alter any door or trap or construct any drain for any such latrine, urinals or water-closet which opens on to a street or drain or to shut off such latrine, urinal or water closet by a sufficient roof or wall or fence from the view of persons passing by or dwelling in the neighborhood;

(b) to cleanse, repair, cover, fill-up, drain off or remove water from a private well, tank reservoir, pool, pit depression or excavation therein which may be injurious to health or offensive to the neighborhood;

(c) to clear off any vegetation, under growth, prickly pear or shrub jungle therefrom; and

(d) to remove any dirt, dung, nightsoil, manure or any obnoxious or offensive matter therefrom and to cleanse the land or building.

34. (1) Subject to such conditions or restrictions as may be prescribed, a Gram Panchayat shall have control over all public streets and waterways within its jurisdiction other than canals constructed, maintained or controlled by the Government, not being private property and not being under the control of the Central or State Government or, any local authority, and may do all things necessary for the maintenance and repair thereof, and may:

(d) deepen or otherwise improve such waterways;

(e) with the sanction of the State Government or with the sanction of such officer or authority as the State Government may prescribe, undertake irrigation projects;

(f) trim hedges and branches of trees projecting on public streets;

(g) set apart, by public notice, any public source of water supply for drinking or culinary purpose and likewise prohibit all bathing, washing or other acts likely to pollute the source so set apart.

(2) A Gram Panchayat may, by a notice in writing, require any person who has caused obstruction or encroachment on or damage to any public street or drain or other property under the control and management of the said Gram Panchayat, to remove such damage as the case may be within the time to be specified in the notice.

35. (1) A Gram Panchayat may, by written 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 or culinary purpose after taking into consideration his financial position, to take all or any of the following steps within a reasonable period to be specified in Such notice namely:

- (a) to keep and maintain the same in good repair;
- (b) to clean the same, from time to time, of silt, refuse or decaying vegetation;
- (c) to protect it from pollution; and
- (d) to prevent its use, if it has become so polluted as to be hazardous to the public health.

Provided that a person upon whom a notice as aforesaid has been served may within thirty days from the date of receipt of the notice, appeal to the prescribed authority against the order contained in the notice where upon the prescribed authority may stay the operation of the order contained in the notice till the disposal of the appeal and it may, after giving such notice of the appeal to the Gram Panchayat concerned as may be prescribed modify, set aside or confirm the order;

Provided further that the prescribed authority shall when it confirms or modifies the order contained in the notice after the expiry of the period mentioned therein, fix a fresh period within which the order contained in the notice as confirmed or modified by it, shall be carried out.

(2) If the order contained in a notice served as aforesaid has not been set aside by the prescribed authority and if the person upon whom the notice has been served fails, without sufficient reason, to comply with the order in its original form or the order as modified by the prescribed authority, within the time specified in the notice or within the time fixed by the prescribed authority, as the case may be, he shall be liable, on conviction by a Magistrate, to a fine which may extend to five hundred rupees.

36. (1) A Gram Panchayat may, by written notice, require the owner or occupier of any land or premises, containing a tank or similar deposit of water, after taking into consideration his financial position, not to allow water hyacinth or any other weed which may pollute water to grow there and to eradicate the same there from within such reasonable period as may be specified in the notice:

Provided that a person on whom a notice as aforesaid has been served may within thirty days from the date of receipt of the notice, appeal to the prescribed authority and it may stay the operation of the order contained in the notice till the disposal of the appeal and it may, after giving such notice of the appeal to the Gram Panchayat concerned as may be prescribed, modify, set aside or confirm the order:

Provided further that the prescribed authority shall when it confirms or modifies the order contained in the notice after the expiry of the period mentioned therein, fix a fresh period within which the order contained the notice, as confirmed or modified by it, shall be carried out.

(2) If the order contained in a notice served as aforesaid has not been set aside by the prescribed authority and if the owner or occupier upon whom the notice has been served fails, without sufficient reason, to comply with the order in its original form or the order as modified by the prescribed authority, within the time as specified in the notice or within the time fixed by the prescribed authority as the case may be, he shall

be liable, on conviction by a Magistrate, to a fine which may extend to two hundred rupees.

37. In the event of an outbreak of cholera or any other water borne infectious disease in any locality situated within the local limits of the jurisdiction of a Gram Panchayat, the Chairperson, or any other person authorized by the Chairperson may, during the continuance of the outbreak, 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 may deem fit to prevent the drawing of water therefrom.

38. If any work required to be done by an order contained in a notice served under sections 33, 34, 35, 36 and 37 is not executed within the period specified in the notice or where an appeal is made to the prescribed authority in the appeal, the Gram Panchayat may, in the absence of satisfactory grounds for non-compliance cause such work to be carried out and the cost of carrying out such work shall be recoverable as an arrear of land revenue from the person on whom the notice was served.

46. (1) Subject to the approval of the Government, a Gram Panchayat may levy the following fees, rates, and tolls as may be notified by the Government from time to time:

- (i) a fee for providing sanitary arrangements at such places of worship or pilgrimage, fairs and melas within its jurisdiction as may be specified by the State Government by notification published in the manner prescribed;
- (ii) 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;
- (iv) a conservancy rate, where arrangement for cleaning private latrines, urinals and cesspools is made by the Gram Panchayat within its jurisdiction;

CHAPTER IV - ANCHAL SAMITI

53. The Government may, by notification, declare such contiguous areas in a district as it deems fit, to be an Anchal Block for the purposes of this Act and may specify the Gram Panchayats in the Anchal Block.

70. (1) Subject to such conditions as may be specified by the Government from time to time the Anchal Samiti shall perform such of the assigned functions as specified in Schedule-II.

72. (1) Subject to the approval of the Government an Anchal Samiti may have power to:

- (a) (i) undertake schemes or adopt measures, including the giving of financial assistance relating to the development of agriculture, livestock, cottage industries, co-operative movement, rural credit, water supply, irrigation, public health and sanitation including establishment of dispensaries and hospitals, communication, primary or adult education including welfare of students, social welfare and other objects of general public utility;
- (c) contribute, with the approval of the State Government, such sum or sums of money as it may consider necessary towards the cost of water supply or anti-epidemic measures undertaken by a Municipality or notified area authority within the Block.

CHAPTER V - ZILLA PARISHAD

85. (1) The Government may, by notification, constitute a Zilla Parishad for each district with effect from such date as may be specified therein.

93. Subject to such conditions as may be specified by the Government, from time to time, the Zilla Parishad shall perform the functions as specified in Schedule-III.

Schedule I (see Section 30)

VIII. Drinking Water

- (1) Construction, repairs and maintenance of drinking water wells, tanks and ponds.
- (2) Prevention and control of water pollution.
- (3) Maintenance of rural water supply scheme.

XVIII. Rural Sanitation

- (1) Maintenance of general sanitation.
- (2) Cleaning of public roads, drains, tanks, wells and other public places.
- (3) Maintenance and regulation of brining and burial grounds.
- (4) Constriction and maintenance of public latrines.
- (5) Disposal of unclaimed corpses and carcasses.
- (6) Management and control of washing and bathing ghats.

Schedule II (see Section 70)

IV. Minor irrigation, water management and watershed development

- (1) Assisting the Government and Zilla Parishad in the construction and maintenance of minor irrigation works.
- (2) Implementation of community and individual irrigation works.

VI. Fisheries

- (1) Promotion of fisheries development.

IX. Drinking Water

- (1) Establishment, repairs and maintenance of rural water supply schemes.
- (2) Prevention and control of water pollution.
- (3) Implementation of rural sanitation schemes.

XI. Road, Buildings, Bridges, Ferries, Water Ways and Other Means of Communication

- (1) Construction and maintenance of public roads, drains, culverts and other means of communication which are not under the control of any other local authority of the Government.
- (2) Maintenance of any building or other property vested in the Anchal Samiti.
- (3) Maintenance of boats, ferries and water ways.

Schedule III (see Section 93)

IV. Minor Irrigation, Water Management and Watershed Development

- (1) Construction, renovation and maintenance of minor irrigation works.
- (2) Providing for the timely and equitable distribution and full use of water under irrigation schemes under the control of the Zilla Parishad.
- (3) Watershed development programmes.
- (4) Development of groundwater resources.

VI. Fisheries

- (1) Development of fisheries in irrigation works vested in the Zilla Parishad.
- (2) Promotion of inland, brackish water and marine fish culture.
- (3) Implementation of fishermen's welfare programmes.

X. Drinking Water

- (1) promotion of drinking water and rural sanitation programme.

XII. Roads, Bridges, Ferries, Waterways and Other Means of Communications

- (1) Construction and maintenance of district roads and culverts, causeways and bridges (excluding state highways and village roads).
- (2) Construction of administrative and other buildings in connection with the requirements of the Zilla Parishad.