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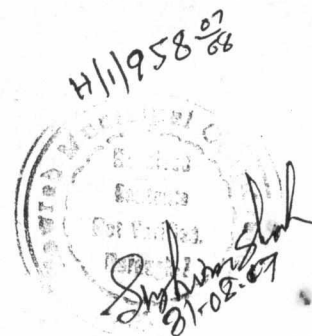
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Published by Authority

Gazette



Kolkata

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MONDAY, MAY 21, 2007

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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

HOWRAH MUNICIPAL CORPORATION

Howrah-711 101

No. 53/Commr/07-08

Dated, 15.05.2007

NOTIFICATION

In exercise of the power conferred under sub-section (1) of section 216 (as amended) of the Howrah Municipal Corporation Act, 1980 (West Bengal Act LVIII of 1980), the Howrah Municipal Corporation hereby makes the following regulations:—

The Howrah Municipal Corporation (Levy of Charges for Supply of Water) Regulations, 2007

PART I

Preliminary

1. **Short title and commencement.**—(1) These regulations may be called the Howrah Municipal Corporation (Levy of Charges for Supply of Water) Regulations, 2007.
(2) They shall come into force with effect from the first day of March, 2007.
2. **Definitions.**—(1) In these regulations, unless the context otherwise requires,—
 - (a) “the Act” means the Howrah Municipal Corporation Act, 1980;
 - (b) “the Bulk Consumer” means any consumer which takes or intends to take 150 kilolitre (KL) of water or above daily from HMC;
 - (c) “the Commissioner” means the Commissioner as defined in the Act and shall include the officers duly authorized by him in this behalf;
 - (d) “Consumer” means any owner or occupier of holding, industrial or commercial establishment, premises of statutory bodies, offices, hospitals etc. who takes or intends to take supply of water for domestic or non-domestic purpose;
 - (e) “Domestic Connection” in the case of supply of water, means the supply of water for the domestic purpose;

- (f) "Domestic Purpose" in the case of supply of water means the supply of water for the purpose of drinking, bathing, flushing privies, washing clothes and utensils, etc. and includes supply of water to the buildings used for residential, educational or other purposes where industrial or commercial use of water is not involved but does not include washing of clothes by a launder, washing of utensils by hotel, restaurants, clubs, etc.;
- (g) "Form" means form annexed with these regulations;
- (h) "HMC" means Howrah Municipal Corporation;
- (i) "the Mayor" means the Mayor as defined in the Act;
- (j) "Mayor-in-Council" means the Mayor-in-Council constituted under the HMC Act, 1980;
- (k) "Non-domestic Purpose" in the case of supply of water means, the supply of water for the purpose of industrial or commercial use of water of any kind;
- (l) "Para" means paragraph of these regulations;
- (m) "Section" means the section of the Act.
- (2) The words and expressions used and not defined in these regulations but defined in the Act shall have the same meaning as respectively assigned to them in the Act.

PART II

Provisions for new connections and connections already provided

3. Submission of application for house water connection.—(1) Any owner or occupier with the permission of the owner in this respect of any premises located in a holding of HMC area may apply to the Commissioner for house water connection along with a copy of the last receipt of up to date holding tax and other taxes and fees, if any imposed upon him by or under the Act.

(2) For the purpose of submitting application, mentioned at Para 3(1) the concerned person shall collect the application in Form 'A' from the office of the Commissioner on payment of Rs. 10.00 per form for domestic connection and Rs. 50.00 per form for non-domestic/bulk connection.

(3) Duly filled-in form along with the documents as mentioned at Para 3(1) shall be submitted to the respective borough office for all kinds of connection other than bulk and to the central office of HMC for bulk connection.

(4) All house water connections other than for bulk consumers shall be issued from the respective borough office and the connection to bulk consumers shall be issued from the central office of HMC.

4. Connection charges.—(1) For effecting new connections, the consumer shall deposit a non-refundable connection charge. The minimum connection charges for different types of consumers shall be as indicated below. However the Commissioner may impose connection charges at higher rates for different types of consumers provided that it is approved by the Mayor-in-Council for the reasons to be recorded in writing:

(a) Domestic consumer and domestic bulk consumer (without meters)—

<i>Ferrule size</i>	<i>Connection charges</i>
Up to 10 mm	Rs. 500.00
Above 10 mm but not exceeding 15 mm	Rs. 1,000.00
Above 15 mm but not exceeding 20 mm	Rs. 4,000.00
Above 20 mm but not exceeding 25 mm	Rs. 10,000.00

In addition to the above charges, as per the provisions of section 136 of the Act, the Commissioner shall realize the cost of road opening and restoration, cost of pipes and other accessories from the consumer @ Rs. 500.00 for laying of pipes from the water mains to the consumer's premises, for every 25 metres or part thereof, subject to minimum charges of Rs. 1,500.00.

(b) Domestic consumer and domestic bulk consumer (with meter)—

<i>Ferrule size</i>	<i>Connection charges</i>
Up to 10 mm	Rs. 500.00
Above 10 mm but not exceeding 15 mm	Rs. 1,000.00
Above 15 mm but not exceeding 20 mm	Rs. 4,000.00
Above 20 mm but not exceeding 25 mm	Rs. 10,000.00

In addition to the above charges, as per the provisions of section 136 of the Act, the Commissioner shall realize the cost of metre, road opening and road restoration charges, the cost of pipes and other accessories from the consumer @ Rs. 700.00 and Rs. 1,000.00 for laying of pipes from the water mains to the consumer's premises, for every 25 metres or part thereof, subject to minimum charges of Rs. 2,500.00 and Rs. 5,000.00 respectively for the domestic consumer and domestic bulk consumer.

(c) Non-domestic consumer (without meters)—

<i>Ferrule size</i>	<i>Connection charges</i>
Up to 10 mm	Rs. 3,000.00
Above 10 mm but not exceeding 15 mm	Rs. 6,000.00
Above 15 mm but not exceeding 20 mm	Rs. 18,000.00
Above 20 mm but not exceeding 25 mm	Rs. 30,000.00

In addition to the above charges, as per the provisions of section 136 of the Act, the Commissioner shall realize the cost of meter, road opening and road restoration charges, the cost of pipes and other accessories from the consumer @ Rs. 2,000.00 for laying of pipes from the water mains to the consumer's premises, for every 25 metres or part thereof, subject to minimum charges of Rs. 6,000.00.

(d) Non-domestic consumer (with meters)—

<i>Ferrule size</i>	<i>Connection charges</i>
Up to 10 mm	Rs. 3,000.00
Above 10 mm but not exceeding 15 mm	Rs. 6,000.00
Above 15 mm but not exceeding 20 mm	Rs. 18,000.00
Above 20 mm but not exceeding 25 mm	Rs. 30,000.00
Above 25 mm but not exceeding 50 mm	Rs. 45,000.00
Above 50 mm but not exceeding 100 mm	Rs. 55,000.00
Above 100 mm but not exceeding 150 mm	Rs. 75,000.00
Above 150 mm	Rs. 1,00,000.00

In addition to the above charges, as per the provisions of section 136 of the Act, the Commissioner shall realize the cost of meter, road opening and road restoration charges, the cost of pipes and other accessories from the consumer @ Rs. 2,000.00 for laying of pipes from the water mains to the consumer's premises, for every 25 metres or part thereof, subject to minimum charges of Rs. 10,000.00.

(2) The provisions of Para 9(ii) of the Howrah Municipal Revenue Regulations, 1996 stand modified upon having these regulations coming into effect.

(3) No water pipe shall be laid in a drain or on the surface of an open channel or house gully or within the vicinity of a cesspool (safe distance to be determined on spot inspection on case to case basis) or in any position where the pipe is likely to be injured or the water therein polluted.

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

(5) For any violation of above Paras 4(3) and (4), the Commissioner shall ask the occupier to remove the construction and fittings within 72 hours, failing which the water supply to his premises shall be disconnected within next 48 hours and fines imposed as prescribed.

(6) No mechanical device shall be installed on the pipeline without the approval of the Commissioner for extracting, sucking and diverting water from the pipe in a manner that might lead to taking out water in larger volume than under normal circumstances and cause water scarcity to other consumers in the vicinity.

(7) For any violation of Para 4(6), the Commissioner shall ask the occupier to remove the fittings within 72 hours, failing which the water supply to his premises shall be disconnected within next 48 hours and fines imposed as prescribed.

5. Manner for processing of an application for any water connection.—(1) The Commissioner, within 15 days from the date of receipt of any application shall make necessary verification and decide, after taking into consideration the system constraints, whether it is feasible to provide connection or not. If it is feasible, he shall inform the applicant concerned fixing the date of inspection to be held within next 15 days. In the case of requirement of any additional documents from the applicant specified at Para 3(1) the time frame as specified at Para 2(1) shall apply *mutatis mutandis*, from the date of submission of the required documents by the applicant.

(2) It is, however, mandatory to obtain prior approval of Mayor of HMC or the Chairman of the respective borough, as the case may be, for refusal to grant any connection. Approval of Mayor of HMC is also mandatory for providing connection to bulk consumers having daily consumption of 300 KL or more per day.

(3) Unless there are some special circumstances to be recorded in writing, for which delay in effecting water supply might endanger human lives or public tranquility, the applications shall be processed and connections effected in the same order as the applications are submitted. Different lists for domestic and non-domestic categories shall be maintained by the Commissioner.

6. Deposit of connection charges.—(1) After completion of the process under Para 5 the Commissioner, within a period of 60 days from the date of receipt of an application under Para 3(1) shall communicate to the applicant the

(a) approval to the application, or

(b) refusal to give approval by showing proper reason.

(2) In the case of according approval to the application submitted under Para 3(1) the Commissioner shall ask the applicant to make payment of connection charges, as specified at Para 4 and other allied charges, within 30 days for domestic consumer and 60 days for non-domestic consumer and in such manner as may be asked by the Commissioner and the Commissioner shall mention all such information in the communications to be made to the applicant on according approval to such application.

(3) In any area where existing water distribution system cannot technically afford new connection to any consumer of that area because of the system constraints, refusal to grant connection has to be issued with the approval of MIC and digging of tubewells by the applicant shall be allowed on payment of prescribed fees and charges as enumerated at Para 8 of the Howrah Municipal Corporation Revenue Regulations, 1996; and adequate steps shall be taken for augmentation of the system so that such connections can be afforded within one year.

(4) Granting of house water connection shall not be refused except for the reasons that the consumer failed to comply with the requirements of these regulations or the system cannot afford any new connection.

(5) No discrimination between the same categories of consumers shall be made. However, in some cases if it so happens that there are system constraints and by refusing any connection for non-domestic use, it is possible to provide some connections for domestic use, such discrimination may be done.

7. Regularization of connections already provided.—(1) Any existing consumer who had obtained water connection after observing necessary formalities before these regulations came into effect, shall be required to regularize his connection upon submitting application in Form 'AA', along with the copies of documents pertaining to charges previously paid. The consumer, however, will not be required to pay any charges for this purpose. On compliance, the Commissioner within 15 days of submission of application form shall allot a fresh consumer number in the manner laid below and the connection previously taken shall thereupon stand regularized.

(2) Application for regularization as indicated at Para 7(1) shall have to be submitted on or before 31.03.2008 for failure of which the water connection previously issued shall be declared illegal and remain liable to be cut off in the manner prescribed.

(3) If it is detected that any consumer already obtained water connection at his premises without observing normal procedure, the water connection shall be liable to be cut off in the manner prescribed, provided that, such connection may be regularized on submission of application in form AA and on payment of penalty equivalent to 100% of connection charges before detection and 500% of connection charges if such illegal connection is detected beforehand by the Commissioner.

(4) House connection number shall be assigned in the following manner:

K/X/Y/Z

where, K for category (i.e. domestic, commercial, industrial); X for Ward Number; Y for Holding Number and Z for year of issue are meant for.

PART III**Special provision for Non-domestic and Bulk Consumers**

8. Submission of application for bulk or non-domestic consumers.—Any bulk or non-domestic consumer, intending to receive bulk water supply from the water mains of the HMC, shall submit his willingness in writing to the Commissioner in Form 'A', including his present and future demand with estimated annual increase of demand.

9. Inspection for non-domestic and bulk consumers.—On the basis of the application under Para 8, a joint inspection of the Commissioner and the applicant concerned shall decide the place of receipt or delivery of bulk water.

10. Communication line and control valve for the bulk and non-domestic consumers.—(a) The communication line with control valve shall be drawn up to the point of delivery by the Commissioner on payment of connection charges, cost of meter, etc. as specified at Para 4 and on the basis of bill raised by the Commissioner.

(b) The control valve with meter shall be housed within the premises of non-domestic or the bulk consumer under lock and key, for safety of which the non-domestic or the bulk consumer shall remain fully responsible. Any damage or loss of the same shall be recovered from the non-domestic or the bulk consumer.

11. Application of other provisions of these regulations for non-domestic and bulk consumers.—All the provisions of Parts II, IV, VI and VII of these regulations, not inconsistent with the provisions of this part shall also be applicable for non-domestic consumers as well.

PART IV**Provisions regarding Water Meters**

12. Meter reading and complaints regarding.—(a) If the Commissioner installs a water meter, the meter shall be read generally between sunrise and sunset and reading will be recorded on the books issued by the Commissioner and also on a meter card hung up in a safe and prominent place in the premises of the consumer who shall be responsible for the safe custody of the card.

(b) Whenever water is supplied under these regulations through a meter, it shall be presumed that the quantity indicated by the meter has been consumed until the contrary is proved.

(c) No person shall fraudulently alter the index to any meter or prevent any meter from duly registering the quantity of water supplied and abstract or use water before it has been registered by a meter set up for the purpose of measuring the same. The existence of artificial means under the control of the consumer for causing any such alteration, prevention, abstraction or use shall be the evidence that the consumer has fraudulently affected the same.

(d) Any consumer disputing or challenging the accuracy of the meter on its reading may file objections in writing to the Commissioner within 15 days after clearing the last water charge bill raised by the Commissioner. If on test, it is found that the quantity registered in the meter is in excess of actual quantity, the excess amount paid would be adjusted against the bills for subsequent periods.

(e) If, on examination, any meter is found to be out of order, consumption of water, during the period since the last undisputed reading till the meter is repaired or till a new meter is installed, shall be calculated on pro rata basis on the consumption in the preceding three months.

(f) Whether supply of water shall be effected through meter shall be decided by the MIC under section 138 of the Act, consumer-categorywise and not on individual cases.

PART V**Supply of Water**

13. Supply of water for domestic purposes.—(1) The supply of water for domestic purposes under these regulations shall not be deemed to include any supply—

- (a) for washing of any animal kept for sale or hire; or
- (b) for such trade, manufacture or business, as may be determined by the MIC; or
- (c) for fountains, or swimming pools or for water sports or aquatic parks; or

- (d) for watering gardens or streets; or
- (e) for any ornamental or mechanical purpose; or
- (f) for washing cars, carriages and other vehicles; or
- (g) for flushing purposes other than the purpose of flushing privies:

Provided that, in case of emergency, wholesome water may be used for extinguishing fire.

(2) No person shall, without the written permission of the Commissioner, use or allow to be used water, supply for domestic purposes, or any other purposes.

14. Non-eligibility to get more than one connection.—No consumer shall normally be eligible to get more than one connection at any single premises. However, the Commissioner reserves the discretion to approve more than one connection at single premises in suitable cases for reasons to be recorded in writing and connection charges as well as fees for water supply shall be recovered for each such connection as separate individual connection.

15. Allotment of ferrul size.—The matter regarding allotment of the size of ferrule shall be decided by the Commissioner after taking into consideration—

- (a) the availability of water in the nearest water mains;
- (b) the basic requirement of the dwellers; and
- (c) the number of permanent dwellers in the premises.

16. Provisions for installation of stand posts.—(1) The Commissioner may, in consideration of special requirements, provide for stand posts in places like hospital compound, place of worship, pilgrimage, tourist spots, bus stands, municipal markets, slums, and areas predominantly inhabited by the people living below poverty line or economically weaker sections and such other places where supply of water is necessary.

(2) For the purpose of supply of water by providing stand posts in the localities inhabited predominantly by people of economically weaker sections, slums, the Commissioner may constitute a user group consisting of families of the owners, occupiers, or dwellers of such houses.

(3) The user group constituted under Para 16(2) shall remain under direct supervision of the ward committee or any other organization as may be decided by the MIC. The Commissioner may provide one stand post for each user group, and the user group shall be responsible for maintenance of the said stand post.

(4) For taking house water connection, any consumer will be required to pay connection charges prescribed, even if he resides in any declared slum or inside any institution which is exempted from paying water charges, provided such water is used for some purposes other than for which it is exempted from payment of charges.

PART VI

Charges for supply of Water

17. Rates of fees for supply of water.—(1) The fees for supply of water shall be charged by the Commissioner in the following manner:

- (a) In case of house water connection to domestic consumers, the minimum monthly water charge for each individual holding, for unmetered supply, shall be:

Sl. No.	Area	Water Charge (Rs.)	Effective date
(i)	For occupying any building with super-build up area up to 800 sq. ft.	20	01.10.2007
(ii)	For occupying any building with super-built up area between 801 and 1200 sq. ft.	30	01.10.2007
(iii)	Additional charge for occupying additional super-build area of 250 sq. feet or part thereof from 1201 sq. feet onwards	10	01.10.2007

The Mayor-in-Council shall, however, be empowered to review and recast the above charges from time to time to keep parity with the O & M charges for supply of water to the extent possible.

For metered supply to domestic consumers including domestic bulk consumer, water charge shall be levied at the rate of Rs. 5.00 per KL.

- (b) In the case of supply of water for non-domestic purpose for any consumer the rate of water charge for supply having water meters shall be Rs. 10.00 per KL, and in case of unmetered supply the minimum rate of water charge shall be:

For commercial and industrial use other than in hotel, restaurant, eatery, guest house and industries producing chemicals, soap, ice, water-intensive products, etc.

Water charge (Rs.) per month for occupying any building with super-built area up to 800 sq. feet	Additional charge (Rs.) per month for occupying additional super-built area of 250 sq. feet or part thereof	Effective date
30	10	01.03.2007
50	20	01.04.2009
70	25	01.04.2011

For commercial use in hotel, restaurant, eatery, guest house, etc.

Water charge (Rs.) per month for occupying any building with super-built area up to 800 sq. feet	Additional charge (Rs.) per month for occupying additional super-built area of 250 sq. feet or part thereof	Effective date
60	20	01.03.2007
100	40	01.04.2009
140	50	01.04.2011

For commercial use in industries producing chemicals, soap, ice, water-intensive products, etc.

Water charge (Rs.) per month for occupying any building with super-built area up to 800 sq. feet	Additional charge (Rs.) per month for occupying additional super-built area of 250 sq. feet or part thereof	Effective date
90	30	01.03.2007
150	60	01.04.2009
210	75	01.04.2011

- (c) In the case of supply of water by lorry or tanker for family functions water charges shall be Rs. 150.00 per tanker with a capacity of 1000 litre and for social or any other purpose the charges shall be Rs. 250.00 per tanker with a capacity of 1000 litre.

- (2) The following institutions are exempted from payment of water charges, prescribed in these regulations:
- Government and Government-aided educational institutions;
 - Holdings exclusively used for public charity or medical relief or education of the poor free of charge; and
 - Social welfare homes run by the Government:

Provided, they will have to pay full connection charges prescribed as per rates applicable for domestic category.

- (3) For providing temporary connection for construction purpose the provisions of these regulations for non-domestic supply shall apply.

- (4) The Commissioner shall present the bills of the water charges separately to the consumers on quarterly basis; and all classes of consumers shall pay the water charges within such due date as may be specified in the bill.

- (5) Water charges shall be payable on quarterly instalments and every such instalment shall be deemed to be due on the first day of the next quarter in respect of which it is consumed and it shall be paid within 30 days counted from the date if fell due.

- (6) If any amount due is paid within 14 days from the date of the presentation of the bill under sub-para (4), a rebate of 5% of such amount shall be allowed.

- (7) Water charges shall be leviable depending on the nature of use, also from such holdings, establishments, flats, mining estates owned and/or developed by the government or government-undertakings, statutory authority which are required to pay property tax as per law or are exempted from payment of water charges from some other reasons or under any law, but has or intends to have water connection from the HMC, for the purposes other than charitable use. Regulations on connection, disconnection, reconnection of water supply as are applicable for respective categories consumers shall be applicable for these categories also.

(8) The Commissioner shall, with the prior approval of MIC, publish immediately upon commencement of these regulations, the list of areas where supply of water cannot be made under normal pressure because of system constraints; and shall revise the list from time to time depending upon the changing situations. Water charges leviable from the consumers of such areas shall be half the rates prescribed for each category of consumer as enumerated at Para 17.

(9) No water charges for a particular month shall be claimed from the consumers living in any area or holding where, for reasons beyond the control of the Commissioner; piped water supply could not be maintained for more than 7 days at a stretch.

PART VII

Inspection, Penalty and Disconnection

18. Inspection.—The Commissioner or any officer authorized in this behalf, shall have the right to enter at all reasonable time between the sunrise and sunset after serving notice to the consumer of their intention to do so, in any premises for the purpose of testing, inspection, repair works including installation and replacement of any or all of the Commissioner's apparatus related to service connection or doing all things necessary incidental to proper supply of water.

19. Action against defaulter of payment of water charges.—(1) In any consumer liable for payment of water charge, does not pay the sum due within the date for which it is payable, shall be deemed to be in default.

(2) If the consumer defaults in the payment of water charge, an interest @ 10% per annum but calculated on monthly basis shall be charged on the outstanding amount. A notice for disconnection of water supply shall be issued to the consumer asking him to clear the outstanding amount and the interest thereon within 3 weeks. In case of non-compliance, the water connection shall be cut off by the Commissioner, after affording the consumer a hearing and passing a reasoned order; provided that, on receipt of any request from the concerned consumer or the bulk consumer the Commissioner shall have the discretion to reduce or waive such interest on any outstanding amount or allow instalments for payment of outstanding dues, for just and sufficient reasons, to be recorded in writing. Failure to attend the hearing by the consumer even after notice of hearing having been duly served, shall not prevent the Commissioner from disconnecting the water supply.

(3) In the case of any disconnection of house water connection under Para 19(2) or under sub-section 139A of the Act, restoration of connection shall be treated by the Commissioner as a new connection.

20. Power of Municipal Commissioner to cut off or turn off supply of water to premises and to impose penalty for violation of the provisions of these regulations for other reasons.—(1) Notwithstanding anything contained in the regulations and to the extent not inconsistent with the Act, the Commissioner may cut off the connection between any water works of the Corporation and any premises to which water is supplied from such works, or may turn off such supply, and take such further action as per section 232 of the Act, in any of the following cases, namely:—

- (a) if the premises remain unoccupied for 3 months continuously after the connection was effected;
- (b) if, in respect of the premises, any taxes or rates or fees or charges are in arrear for payment for more than one year;
- (c) if, after receipt of written notice from the Commissioner requiring him to refrain from so doing, the owner or occupier of the premises continues to use the water or to permit the same to be used, in contravention of the Act or the regulations;
- (d) if the occupier of the premises contravenes Para 13 of these regulations;
- (e) if the occupier refuses to admit any officer or employee of the Corporation duly authorized in that behalf into the premises for the purpose of making any inspection under the Act or under the regulations relating to water supply made under the Act, or prevents such officer or employee from making such inspection;
- (f) if the owner or the occupier of the premises wilfully or negligently injures or damages his meter or any pipe or tap conveying water from any works of the HMC;
- (g) if any pipes, taps, works or fittings connected with the supply of water to the premises be found, on examination by the Commissioner, to be out of repair to such an extent as to cause so serious a waste of water that, in the opinion of the Commissioner, immediate prevention is necessary;
- (h) if the use of the premises for human habitation has been prohibited under the Act from the date from which the premises are to be vacated in pursuance of an order under the Act;

- (i) if there is any water-pipe situated within the premises to which no tap or other efficient means of turning the water off is attached;
- (j) if by reason of a leak in the service-pipe or fitting, damage is caused to the public street and immediate prevention is necessary;
- (k) if the occupier of the premises fails to pay in full any amount due from him for supply of water under the Act and these regulations;
- (l) if the consumer fails to regularize the connection by observing the provisions of the regulations.

(2) Provided that,—

- (a) water supply for flushing privies or urinals shall not be cut off or turned off except when the Commissioner thinks it necessary to cut off or turn off such water for preventing damage to or accident on public streets;
- (b) water shall not be cut off or turned off in any case referred to in sub-para (a), (b), (i), (j) and (k) unless written notice of not less than seventy-two hours has been given to the occupier of the premises;
- (c) in any case referred to in clause (f), (g), (i), (j) and (k), the Commissioner may carry out necessary repair to pipes, taps, works or fitting and recover the expenses thereof from the owner or the occupier of the premises.

(3) The expenses of cutting off or turning off water supply shall be paid by the owner or the occupier of premises and shall be recoverable from the owner or the occupier as per the provisions of section 232 of the Act.

(4) Apart from the actions prescribed in the Act and these regulations, the following fines shall be imposed for violation of the provisions of these regulations for each day or in total as the Commissioner may consider appropriate as per scale indicated below, provided that the offender shall be afforded an opportunity of hearing before passing a reasoned order for imposing fine or penalty:

Regulation Number	Nature of violation	Maximum daily fine (Rs.)	Maximum fine (Rs.)
4(3)	Construction that might pollute water	1,000.00	20,000.00
4(4)	Construction that might pollute water	1,000.00	20,000.00
4(6)	Fittings that might adversely affect water supply to other consumers	2,000.00	50,000.00
13(2)	Use of water for purposes not permitted	1,000.00	10,000.00
20(1)(c)	Use of water contravening the regulations	1,000.00	10,000.00
20(1)(f)	Damage of pipeline of water supply	—	20,000.00
20(1)(g)	Wastage of water	1,000.00	20,000.00
20(1)(i)	Wastage of water	500.00	5,000.00
20(1)(j)	Wastage of water	1,000.00	10,000.00

21. Power of the Commissioner to reduce or stop supply of water.—The Commissioner with the approval of the Mayor may, after serving due notice and organizing adequate publicity, temporarily stop or reduce supply of water to any area if the situation so demands.

22. New premises not to be occupied without arrangement for water supply.—No person shall occupy or cause or permit to be occupied any premises or part thereof constructed or reconstructed after the commencement of these regulations until he has obtained a certificate from the Commissioner that there is provided within, or within a reasonable distance of, the premises such supply of wholesome water as appears to the Commissioner to be adequate for the persons who may occupy or be employed in such premises, for their domestic purposes.

23. Power to require filling up of wells.—Whenever supply of water has been provided in an area, the Commissioner may, by a written notice, require the owner, lessee or the occupier, as the case may be, of a well or tank forming a part of any premises in the said area, to fill up such well or tank.

24. Power of Corporation to require owners of premises to set up pumps, etc.—The owner of every premises connected with the service mains of the Corporation shall, when so required by the Commissioner, set up electric pumps or other contrivances whereby water may be caused to reach to the top of the top-most storey of such premises.

25. Prohibition of waste or misuse of water.—(1) No person shall wilfully 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 Corporation is or is likely to be wasted, misused or unduly consumed, or contaminated before use, or that foul air or any impute matter is likely to return into any pipe belonging to, or connected with the water mains belonging to the HMC.

(2) If any water-fitting which any person is liable to maintain is in such condition or is so constructed or adapted as aforesaid, the Commissioner, without prejudice to his right to proceed against the person under any other provision of these regulations or the Act, may require that the person carries out necessary repairs or alteration and, if he fails to do so within forty-eight hours, may cause to be carried out the work and recover from him the expenses reasonably incurred by him in so doing.

26. It shall be mandatory for the consumer in any premise, to which water is supplied from any water works or water mains of the HMC, to maintain and to ensure cleanliness and efficient repair of every supply pipe connecting the premises to the supply mains of the HMC, and any other fittings in the premises including ferrules and stop-cocks:

Provided that, the Commissioner, on receipt of a written complaint along with a cleansing fee of Rs. 200.00 per ferrule or stop-cock, as the case may be, from the consumer, shall arrange cleaning of the ferrules and the stop-cocks, in case the same get choked with foreign materials:

Provided further that, on receipt of a request from the consumer or otherwise, if it is felt that there is a need to change the ferrule or enlarge the ferrule size, the following fees be charged from the consumer for the purpose:

- | | |
|---|---|
| (a) For domestic consumer (excluding Bulk Consumer) | — Rs. 200.00 (two hundred) plus road opening and restoration charges as indicated at para 4. |
| (b) For Non-domestic and Bulk Consumer | — Rs. 500.00 (five hundred) plus road opening and restoration charges as indicated at para 4. |

27. (1) Under no circumstances, use of pumps by any of the consumer on the installations of the HMC shall be allowed. Permission issued for sinking of tubewells under section 134 of HMC Act, 1980 shall stand revoked with effect from 01.04.2009.

(2) The consumer, desirous having such water lifting pumps, shall allow the flow of water into a reservoir from which water can be pumped. Construction of such reservoir is mandatory for any apartment having more than 10 flats or 10,000 sq. ft. of super-built area whichever is less.

(3) Any consumer, found guilty for violation of provision under sub-paras (1) and (2), shall be penalized by disconnection of water supply in the manner prescribed.

28. For any clarification and interpretation of these regulations and decision on any matter or issue that is not covered by these regulations, the Commissioner shall refer the matter to the Mayor-in-Council for decision.

Price Rs. 10 for Domestic connection/
Rs. 50 for Non-domestic/Bulk connection

FORM A

[Regulations 3(2) and 8]

HOWRAH MUNICIPAL CORPORATION**Application Form for Water Supply Connection for Domestic/Non-Domestic Supply**

Application Serial No.

Issued to

Issued by

.....
(Signature and Seal)

Date:

PART A

To
The Commissioner
Howrah Municipal Corporation
District: Howrah

Sir,

I am request you to grant a water supply connection to my premises and I hereby furnish the following information:

1. Name of the Applicant
(Block letters)
Name of Father/Husband
Address
Holding No. & Ward
3. Whether the applicant is the owner of the premises (attach documents of ownership):
4. If the applicant is not the owner, name and address of the owner (attach documents of ownership):
5. Premises where supply requested (attach a sketch plan), with ward number, holding number, address, street number:
6. Nature of connection requested:
Domestic/Non-Domestic/Domestic (Bulk)
7. (a) Name of Industry
(b) Nature of Commercial Activity
(c) Nature of Institution
8. Description of existing water connection, if any
(If yes, give class of connection as in 6 with Consumer No.)
9. Documents furnished regarding payment of property tax/licence fees, etc.:
(a)
(b)
(c)

10. For non-domestic or bulk connections specify—

Average daily requirement through service connection:

- (i) Present demand (up to 3 years from the date of application) _____ thousand litre;
 (ii) Future demand (after 3 years from the date of application) _____ thousand litre;
 (iii) Seasonal variation (if any) _____.

CERTIFICATE

(To be furnished if the applicant is not owner of the premises where connection is requested)

I have no objection to a water supply connection being granted to _____, residing in the premises and the same is owned by me.

Date _____

(Signature of the Owner)

Name of the Owner _____

I certify that the above information is true to the best of my belief and knowledge. I agree to abide by the terms and conditions of HMC's water charges, fees, and other charges and to pay all costs and charges as prescribed by the HMC through notification. I also agree to indemnify the HMC against all claims arising out of or incidental to the granting of the connection.

Date _____

(Signature of the Applicant)

INSTRUCTIONS TO APPLICANTS

1. Please show adjacent plots with owner's names in respect of applicant's premises.
2. Please show the HMC's water supply pipeline with road alignment.
3. Please show position where communication pipe can be terminated within the premises.
4. The drawing shall be in 1 : 400 scales with existing utilities shown in yellow and proposed in red.

FOR OFFICE USE

1. Inspected on _____
2. Inspected by _____
3. Observation by the Inspecting Officer with signature & date _____

4. Comments by the Sanctioning Authority _____

Signature & date

PART B**Observation by the Inspecting Officer**

1. Length of communication pipe up to metering point _____ metre.
2. Connection to be given from _____ (mm) diameter distribution pipe on _____
_____ (Road/Street/Lane/Location) with ferrule size of _____ mm.
3. Whether extension of distribution line beyond 50 m is required for fixing of ferrule of distribution line?

4. If the answer to point 3 above is yes, indicate length to be laid and pipe diameter:
- Length _____ (metre);
 - Diameter _____ (metre);
 - Indicate proposed extension on key plan specified in Part B.
5. Type of road to be disturbed _____
6. Road restoration work involved (sq. m.) _____
7. Type of connection recommended _____ and with/without meter
(Domestic/Non-Domestic/Domestic (Bulk))
8. Estimate for total connection charge (vide part 4 of the Regulations):
- Connection charge Rs. _____
 - Cost of road opening and restoration Rs. _____
 - Other charges Rs. _____
- Total: Rs. _____
(In words)
9. Whether there is any objection regarding existence of polluting element as indicated at para 4(3) & (4) of the Regulations: _____
10. Special Remarks (if any): _____

Date _____

Signature of the Inspecting Officer,
Howrah Municipal Corporation.

PART C

Permission for providing Domestic/Non-Domestic/Domestic (Bulk) connection from _____ m diameter distribution line on _____ (Road/Street/Lane/Location) is hereby granted subject to receipt of payment for Rs. _____.

Date _____

Commissioner/Authorized Officer,
Howrah Municipal Corporation.

PART D

All fees deposited above are correct and taken into account vide money receipt No. _____ dated _____.

Date _____

Cashier

PART E

- Permission to provide connection is granted.
- Allotted Consumer No. _____

Date _____

Commissioner/Authorized Officer,
Howrah Municipal Corporation.

PART F

- Consumer No. _____
- Meter No. _____ (where applicable)
- Initial Meter Reading _____ (where applicable)

Date _____

Commissioner/Authorized Officer,
Howrah Municipal Corporation.

Price Rs. 10 for Domestic connection/
Rs. 50 for Non-domestic/Bulk connection

FORM AA

[Regulations 7(1) and (3)]

HOWRAH MUNICIPAL CORPORATION

Application Form for Regularization of Water Supply Connection for Domestic/Non-Domestic Supply

Application Serial No.

Issued to

Issued by

.....
(Signature and Seal)

Date:

PART A

To
The Commissioner
Howrah Municipal Corporation
District: Howrah

Sir,

I am to inform you that I obtained water supply connection to my premises on _____/in the month of _____. It was taken by observing all formalities and depositing fees. Now I request you to issue fresh consumer number against the water supply connection to my premises for which I hereby furnish the following information. *Or*, I did not observe formalities while taking my connection and I am ready to pay penalty and other charges for regularizing such connection for which I hereby furnish the following information (strike out whichever is not applicable):

1. Name of the Applicant.....
(Block letters)
Name of Father/Husband
Address
Holding No. & Ward
3. Whether the applicant is the owner of the premises (attach documents of ownership):
4. If the applicant is not the owner, name and address of the owner (attach documents of ownership):
5. Premises where supply requested (attach a sketch plan), with ward number, holding number, address, street number:
6. Nature of connection obtained:
Domestic/Non-Domestic/Domestic (Bulk)
7. (a) Name of Industry.....
(b) Nature of Commercial Activity
(c) Nature of Institution
8. Documents in support of obtaining existing connection.....
.....
.....

9. For non-domestic or bulk connections specify:

Average daily requirement through service connection:

- (i) Present demand (up to 3 years from the date of application) _____ thousand litre.
 (ii) Future demand (after 3 years from the date of application) _____ thousand litre.
 (iii) Seasonal variation (if any) _____.

CERTIFICATE

(To be furnished if the applicant is not owner of the premises where connection is requested)

I have no objection to regularization of a water supply connection granted to _____, residing in the premises and the same is owned by me.

Date _____

 (Signature of the Owner)

Name of the Owner _____

I certify that the above information is true to the best of my belief and knowledge. I agree to abide by the terms and conditions of HMC's water charges, fees and other charges and to pay all costs and charges as prescribed by the HMC through notification. I also agree to indemnify the HMC against all claims arising out of or incidental to the granting of the connection.

Date _____

 (Signature of the Applicant)

INSTRUCTIONS TO APPLICANTS

1. Please show adjacent plots with owner's names in respect of applicant's premises.
2. Please show the HMC's water supply pipeline with road alignment.
3. Please show position where communication pipe can be terminated within the premises.
4. The drawing shall be in 1 : 400 scales with existing utilities shown in yellow and proposed in red.

FOR OFFICE USE

1. Inspected on _____
2. Inspected by _____
3. Observation by the Inspecting Officer whether connection obtained regularly illegally _____
4. Comments by the Sanctioning Authority _____

 Signature & date

PART B

Observation by the Inspecting Officer

1. Length of Communication pipe up to metering point _____ metre.
2. Connection given from _____ (mm) diameter distribution pipe on _____
 _____ (Road/Street/Lane/Location) with ferrule size of _____ mm.
3. Whether extension of distribution line beyond 50 m. is required for fixing of ferrule of distribution line.
4. If the answer to point 3 above is yes, indicate length to be laid and pipe diameter:
 - (i) Length _____ (metre),
 - (ii) Diameter _____ (metre),
 - (iii) Indicate proposed extension on key plan specified in Part B.

5. Type of Road to be disturbed _____
6. Road restoration work involved (Sq. m.) _____
7. Type of connection Recommended _____ and with/without meter
[Domestic/Non-Domestic/Domestic (Bulk)]
8. Estimate for total connection charge (vide para 4 of the Regulations):
- | | |
|--|-----------|
| (iv) Connection charge | Rs. _____ |
| (v) Cost of road opening and restoration | Rs. _____ |
| (vi) Fine (Vide para 7 of Regulations) | Rs. _____ |
| (vii) Other charges | |
| Total:
(In words) | Rs. _____ |
9. Whether there is any objection regarding existence of polluting element as indicated at para 4(3 & 4) of the Regulations: _____
10. Special Remarks (if any) : _____

Date _____

Signature of the Inspecting Officer,
Howrah Municipal Corporation.

PART C

Permission for providing Domestic/Non-Domestic/Domestic (Bulk) connection from _____ m diameter distribution line on _____ (Road/Street/Lane/Location) is hereby granted subject to receipt of payment for Rs. _____.

Date _____

Commissioner/Authorized Officer,
Howrah Municipal Corporation

PART D

All fees deposited above are correct and taken into account vide money receipt No. _____ dated _____.

Date _____

Cashier

PART E

1. Permission to regularize connection is granted.

2. Alloted Consumer No. _____

Date _____

Commissioner/Authorized Officer,
Howrah Municipal Corporation.

PART F

1. Consumer No. _____

2. Meter No. _____ (where applicable)

3. Initial Meter Reading _____ (where applicable)

Date _____

Commissioner/Authorized Officer,
Howrah Municipal Corporation.

By order,

D. GOSWAMI,
Commissioner,

Howrah Municipal Corporation.