

KERALA WATER AUTHORITY



KERALA WATER SUPPLY AND SEWERAGE

ACT 14 OF 1986

AMENDMENTS

AND

OTHER REGULATIONS



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Law (Legislation-C) Department

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Dated, Trivandrum,

4th August, 1986
13th Sravana, 1908.

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received assent of the President on the 4th day of August, 1986.

By order of the Governor,

E.J. ANTONY PANNJIKARAN.

Special Secretary (Law).

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THE KERALA WATER SUPPLY AND SEWERAGE ACT, 1986

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ACT 14 OF 1986

THE KERALA WATER SUPPLY AND SEWERAGE ACT, 1986

An act to provide for the establishment of an autonomous authority for the development and regulation of water supply and wastewater collection and disposal in the State of Kerala and for matters connected therewith.

Preamble: - Whereas it is considered necessary to provide for the establishment of an autonomous authority for the development and regulation of water supply and wastewater collection and disposal in the State of Kerala and for matters connected therewith.

BE it enacted in the Thirty-seventh' Year of the Republic of India as follows'-

CHAPTER I

PRELIMINARY

1. *Short title, extent and commencement.* - (1) This Act may be called the Kerala Water Supply ~ Sewerage Act, 1986.

(2) It extends to the whole of the State of Kerala.

(3) It shall be deemed to have come into force on the 1st day of March, 1984.

2. *Definitions.-In this Ac~ unless the context otherwise requires,*

- (i) "Authority" means, the Kerala Water Authority constituted under section 3;
- (ii) "cess-pool" includes a settlement tank or other tank td receive or dispose of foul matters from any premises;
- (iii) "Chairman" means the Chairman of the Authority;
- (iv) "Communication pipe" means any pipe or system of pipes, along with all fittings thereto, by means of which water is supplied to any premises from the main, and includes a connection pipe service pipe, meter or other fittings;
- (v) "connection pipe" means any water pipe from a ferrule to stop cock connecting the distribution main with the service pipe;
- (vi) "consumer" means any person getting the benefit of any water supply or waste water service from the Authority;
- (vii) "domestic sewerage" means waste water from any residence boarding or lodging house, hostel, hotel, public place, office or any such establishment as is not a part of any trade or industry and arising out of personal and normal human activities such as drinking, bathing, ablution, washing and cooking;

- (viii) "drain" means every part of any conduit laid through, under or above a street, way or land whether public or private by or at the expense of the owner or occupier of any premises for the carriage there from of and waste water to any sewer;
- (ix) "ferrule" means a ferrule connecting the connection pipe with the main;
- (x) "fire hydrant" means hydrant fixed on the water main other than the trunk main for affording supply of water for extinguishing any fire;
- (xi) "local area" means the area falling within the jurisdiction council, a township or a Panchayat.
- (xii) "local body" means a city corporation, a municipal council, a township or a Panchayat;
- (xiii) "main" means a pipe laid by Authority for the purpose of giving a general supply of water as distinct from a supply to an individual consumer, and includes any apparatus used in connection with such a pipe;
- (xiv) "Managing Director" means the Managing Director of the Authority;
- (xv) "occupier", in relation to any premises, includes
 - (a) any person for the time being paying or liable to pay rent or any portion thereof to the owner in respect of those premises;
 - (b) the owner who is in occupation of the premises;
 - (c) a tenant of the premises who is exempt from payment of rent;
 - (d) a licensee who is in occupation of the premises; and
 - (e) any person who is liable to pay damages to the owner in respect of use and occupation of the premises;
- (xvi) "owner", in relation to any premises, means the person who receives the rent of that premises or who would be entitled to receive the rent thereof if the premises were let, and includes,
 - (a) an agent or trustee who receives such rent on account of the owner;
 - (b) an agent or trustee who receives the rent of, or is entrusted with the management of, any premises devoted to religious or charitable purposes;
 - (c) a receiver or manager appointed by any court of competent jurisdiction to have the charge of or to exercise the rights of an owner of the said premises; and
 - (d) a mortgagee in possession;
- (xvii) "Premises" means any land or building and includes
 - (a) the garden, land and outhouses, if any, appertaining a building or a part of a building; and
 - (b) any fittings affixed to a building or a part of a building for more beneficial enjoyment thereof;

- (xviii) "prescribe" means prescribed by rules made under this Act;
- (xix) "private street" means any street, road, square, court, alley, passage or riding- path which is not a "public street", but does not include a pathway made by the owner of premises on his own land to secure access to or the convenient use of such premises;
- (xx) 'public hydrant' means hydrant meant for a supply of water to the public within local area;
- (xxi) 'public street' means by street, road, square, court alley, passage or riding-path over which the public have a right of way, whether a thoroughfare or not, and includes
 - (a) the roadway over any public bridge or causeway;
 - (b) the foot-way attached to any such street public bridge or causeway; and
 - (c) the drains attached to any such street, public bridge or cause-way and the land, whether covered or not by any pavement, verandas, or other structure, which lies on either side of the roadway up to the boundaries of the adjacent property, whether that property is private property or property belonging to the Government;
- (xxii) 'regulations' means regulations made by the Authority under this Act;
- (xxiii) 'rules' means rules made under this Act;
- (xxiv) 'service pipe' means any pipe other than the connection pipe beyond the stop-cock by means of which the water is supplied to any premises;
- (xxv) 'sewage' means night-soil and other contents of a water closets, latrines, privies, urinals, cess-pools or drains and polluted water from sinks, bath-rooms, stables and the like places and includes trade effluents;
- (xxvi) 'sewer' means a closed conduit for carrying sewage, offensive hiatter, polluted ,water, waste water or sub-soil water;
- (xxvii) 'sewerage' means a system of collection of waste water from a community from its houses, institutions, industry and public places, the pumping, treatment and disposal of such waste water, its effluent, sludge, gas and other end products;
- (xxviii) 'State' means the State of Kerala;
- (xxix) 'stop-cock' means a stop-cock fitted at the end of a connection pipe way from the main for the purpose of switching off and regulating the water supply to any premises;
- (xxx) 'street' means a private street or a public street;

- (xxxix) 'trade effluent' means by liquid either with or without particles of matters in suspension therein, which is wholly or in part produced or discharged in the course of any trade or industry, including agriculture and horticulture, but does not include domestic sewage;
- (xxxii) 'waste water' shall include domestic sewage, spent water and all waste, water let out from any industries or by any other source;
- (xxxiii) 'water connection' includes
- (a) a tank, cistern, hydrant, stand-pipe, meter or tap, situated any private property and connected with a main or other pipe belonging the Authority;
 - (b) the water pipe connection such a tank, cistern, hydrant, stand-pipe, meter or tap with such main or pipe;
- (xxxiv) 'water supply' means a system of providing water to a community for meeting its requirements both domestic and non-domestic, but does not include providing water or irrigation purposes;
- (xxxv) 'water works', includes water channel (including stream lake, spring, river or canal, well, pump, galleries, reservoir, cistern, tank), duct, whether covered or open, treatment units, sluice supply main, culvert, engine, water-truck, hydrants, stand-pipe, conduit and machinery, land, building or other things for supplying or used for supplying water or for protecting sources of water supply or for treatment of water.

CHAPTER II

ESTABLISHMENT, CONDUCT OF BUSINESS, FUNCTIONS AND POWERS OF THE AUTHORITY

3. *Establishment of Kerala Water Authority.* - (1) The Government shall, by notification in the Gazette and with effect from such date as may be specified therein, establish an autonomous authority to be called the 'Kerala Water Authority.

(2) The Authority shall be a body corporate by the name aforesaid having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract and shall by the said name sue and be sued.

(3) The Authority shall have its head office at Trivandrum and may have offices at such other places as it may consider necessary.

(4) The Authority shall have its head office at Trivandrum and may have offices at such other places as it may consider necessary.

4. *Constitution of the Authority.* - The Authority shall consist of the following members, namely:

- (a) a Chairman appointed by the Government;
- (b) a Managing Director, who possesses experience in management and administration or who is a qualified Engineer not below the rank of a Chief Engineer having sufficient experience in management and administration in water supply and sewerage works, appointed by the Government:

Provided that no person who is more than fifty-five years of age shall be appointed as Managing Director;

- (c) the Secretary to Government in charge of Public Health Engineering Department, or the Kerala Water Authority, ex-officio;
- (d) the Finance Secretary to Government, ex-officio;
- (e) the Secretary to Government in charge of Local Administration Department, ex-officio;
- (f) the Secretary to Government in charge of Development Department, ex-officio;
- (g) two members representing the local bodies in the State, appointed by the Government.

Provided that if for any reason there are no elected members in office in any of the local bodies in the State, the Government may appointed a person who had been a member of any such local body;

- (h) a member belonging to a Scheduled Caste or Scheduled Tribe appointed by the Government; and
- (i) a technical member, who shall be a qualified Public Health Engineer not below the rank of a Chief Engineer, appointed by the Government.

5. *Disqualification for being II member.* -A person shall be disqualified for being chosen as, and for being a member if he-

- (a) has been convicted of an offence involving moral turpitude;
- (b) is an un discharged insolvent;
- (c) is of unsound mind and stands so declared by a competent court;
- (d) holds, except as provided in sections 6 and 7, any office of profit under the Authority;
- (e) has directly or indirectly by himself or by any partner, employer or employee, any share or interest, whether pecuniary or of any other nature, in any contract or employment with, by or on behalf of the Authority;
- (f) absents himself without excuse, sufficient in the opinion of the Authority. from three consecutive meetings of the Authority.

6. *Terms of office of Chainman, Managing Director and non-official members.*- (I) The Chairman, the Managing Director and the member referred to in clause (g), clause (h) or clause (i), of section 4 shall hold office for a period of three years unless their term is terminated earlier by the Government by notification in the Gazette, and shall be eligible for reappointment:

Provided that an elected member in office in any of the local bodies appointed under clause (g) of section 4, shall cease to be a member of the Authority, when he ceases to be a member in office of such local body.

(2) The Chairman, the Managing Director and the members referred to in sub-section (1) shall hold office on such terms and conditions as the Government may, by order, specify.

(3) The member including the Managing Director shall be entitled to such traveling and daily allowances as may be prescribed.

(4) The Managing Director or the members referred to in sub-section (I) may resign his office by writing under his signature addressed to the Chairman and on such resignation being accepted, by the Authority and approved by the Government he shall be deemed to have vacated his office.

7. *Remuneration of the Chairman, the Managing Director and the Technical Member:* - shall be paid from the Authority's fund such remuneration as may be fixed by the Government from time to time.

8. *Appointment of officers and staff-* (1) Subject to the provisions of sub-section (2), the Authority may appoint for the purpose of enabling it to carry out its powers, duties and functions under this Act, a Secretary and such other officers and staff as may be required against posts duly sanctioned by it:

Provided that the Authority shall obtain the previous approval of the Government for the creation of post above the rank of the Executive Engineer.

(2) The Authority may, with the previous approval of the Government, appoint on deputation a servant of the Central Government or the State Government as an employee of the Authority on such terms and conditions as it thinks fit.

(3) Except as provided in this section, the appointment and conditions of service of the officers and employees of the Authority shall be governed by rules made by the Government from time to time.

9. *Supervision and control of employees:* - Subject to the superintendence of the Authority, the Managing Director shall be the chief executive and shall have the general control and direction over all the employees of the Authority.

10. *Authentication of orders and other instruments of the Authority.* - (I) All proceedings of the Authority shall be authenticated by the signature of the Chairman and all orders and other instruments of the Authority shall be authenticated by the signature of such officer of the Authority as may be authorized in this behalf by regulations.

(2) The Authority may invite any person to attend a meeting of the Authority for the purpose of assisting or advising it on any matter and the persons so invited may take part in the proceedings of the Authority, but shall have no right to vote.

11. *Delegation of powers.* - Subject to the provisions of this Act, the Authority may, by general or special order, delegate either unconditionally or subject to such conditions as may be specified in the order, to any sub-committee appointed by it or to the Chairman, or the Managing Director or any other officer or Committee of officers of the Authority such of its powers and duties under this Act as it deems fit, not being its powers and duties under sections 25, 28, 29 and 65.

12. *Disqualification for participation in the proceedings of the Authority on account of interest:* - The Chairman or any other member of the Authority or of a sub-committee appointed by the Authority who has acted professionally, in relation to any matter on behalf of any person having any share or interest whether pecuniary or of any other nature in any contract or employment with, by or on behalf of the Authority, or any other personal interest in any area in which it is proposed to acquire land for any of the purposes of this Act, shall not vote or take part in any proceedings (including any discussion on any resolution or question) of the Authority or of any sub-committee thereof relating to such matter.

13. *Acts not to be invalidated by irregularity, vacancy, etc.*-No act done or proceeding taken under this Act by the Authority or a sub-committee appointed by the Authority shall be invalidated merely on the ground of

- (a) any vacancy in, or defect in the constitution of the Authority or any sub-committee thereof, or;
- (b) any defect .or irregularity in the appointment of a person acting as a member thereof or;

14. *Functions of the Authority.* - *The Authority shall perform all or any of the following functions, namely:*

(i) preparation, execution, promotion, operation, maintenance and financing of the schemes for the supply of water and for the disposal of waste water;

(ii) rendering all necessary services in regard to water supply and collection and disposal of waste water to the Government and on request to private institutions or individuals:

(iii) preparation of State plans for water supply and collection and disposal of waste water on the directions of the Government;

(iv) fixation and revision of tariffs, taxes and charges of water supply and maintenance service in the areas covered by the water supply and waste water systems of the Authority;

(v) establishment of State standards for water supply and waste water services;

(vi) all functions, not stated herein which were being performed by the Public Health Engineering Department of the Government before the commencement of this Act;

(vii) assessment of the requirements for ~power and training in relation to water supply and sewerage services in the State;

(viii) carrying out applied research for the efficient discharge of the functions of the Authority;

(ix) making provision for the supply of wholesome water and efficient sewerage services to the people in the State;

(x) taking such other measures as may be entrusted to the Authority by the Government by notification in the Gazette.

(xi) such other functions as may be entrusted to the Authority-by the Government by notification in the Gazette.

15. *Powers of the Authority.*- {1} The Authority shall, subject to the provisions of this Act, have power to do anything which may be necessary or expedient for carrying out its functions under this Act.

(2) Without prejudice to the generality of the foregoing provisions, such power shall include the power--

(i) to obtain such periodic or specific information from any local body as it may deem necessary;

(ii) to prepare and carry out schemes for water supply and sewerage and to exercise all powers and

perform all functions relating thereto:

Provided that the power of sanctioning schemes costing more than rupees one crore shall be exercised only with the previous approval of the Government;

(iii) to lay down the schedule of fees for all services rendered by the Authority to the Government, local bodies, institutions or individuals, to fix or amend tariffs and charges for water supply and sewerage services and collect all such fees and charges for these services as may be prescribed;

Provided that any revision of tariffs and charges for water supply and sewerage services shall be made only with the previous approval of the Government;

(iv) to enter into contract or agreement with any person, firm or institution as the Authority may deem necessary, for performing its functions under this Act:

Provided that any contract or agreement involving more than rupees one crore shall be entered into by the Authority only with the previous approval of the Government.

(v) to adopt its own budget annually subject to the previous approval of the Government:

(vi) to abstract water for drinking purpose from any natural source and with the permission of the Government for other purposes and dispose of waste water;

(vii) to borrow money, issue debentures, to obtain subventions, capital contributions, loans and grants, to incur expenditure and manage its own funds;

(viii) to grant loans and advances to such persons or authorities as the Authority may deem necessary for performing the functions under this Act;

(ix) to acquire, possess and hold lands and other property and to carry any water or sewerage works through, across, over or under any highway, road, street or place and, after reasonable notice in writing to the owner or occupier, into, through, over or under any building or land;

(x) to accept gifts in kind and in cash with the previous approval of the Government.

CHAPTER III

VESTING OF PROPERTIES, ASSETS, LIABILITIES AND OBLIGATIONS AND TRANSFER OF EMPLOYEES

16. *Vesting of property in Authority etc.* - (1) As from the date of establishment of the Authority, (hereinafter in this Chapter referred to as "the appointed day"),

(a) (i) all properties and assets (including water works, buildings, laboratories, stores, vehicles, furniture and other furnishing), all the existing water supply and sewerage services, sewerage works and sewage farms including, as the case may be, all plants, machineries, water works, pumping stations, filter beds, water mains and public sewers in, along, over or under any public street and all buildings, lands and other works, materials, stores and things appertaining thereto; and

(ii) so much of the sub-soil appertaining to the said water mains and sewers as may be necessary for the purpose of enlarging, deepening or otherwise repairing or maintaining any such water mains and sewers or any pipes and other appliances and fittings connected with such water supply and sewerage services and sewage works and sewage farms which immediately before the appointed day were vested in the Government for the purposes of the Public Health Engineering Department, shall vest in and stand and transferred to the Authority;

(b) (i) all the water supply and sewerage services, sewerage works, sewerage farms including all the plants, machineries, pumping stations, distribution lines and public sewers in, along, over or under any public street and all buildings, lands and other works, materials, stores and things appertaining thereto; and

(ii) so much of sub-soil appertaining to the said distribution lines and sewers as may be necessary for the purpose of enlarging, deepening or otherwise repairing or maintaining any such distribution lines and sewers or any pipes and other appliances and fittings connected with such water supply and sewerage services and sewerage works vested in any local body and in respect of which maintenance of sewerage services and sewerage works, management and distribution or water supply or collection of charges which immediately before the appointed day were attended to by the Public Health Engineering Department, shall vest in and stand transferred to the Authority;

(c) all the rights, liabilities and obligations of the Government or the local body as the case may be whether arising out of any contract or otherwise appertaining to the said department including the right to recover arrears of water tax and sewage tax water charges, meter hire and of any cost or fees relating to water supply and sewerage services shall be the rights, liabilities and obligations of the Authority; and

(d) all the assets, rights, liabilities and obligations of the Kerala State Rural Development Board constituted Kerala State Rural Development Board Act, 1971 (15 of 1971), in so far as they pertain to execution or water supply and sewerage schemes in the Panchayat areas including the right to recover arrears of annual installments from Panchayats towards expenditure on water supply and sewerage schemes under section 13 of the said Act, shall be the assets, rights, liabilities and obligations of the Authority.

(2) The properties, assets, rights, liabilities and obligations referred to in sub-section (1) shall be valued in such manner as the Government may determine.

(3) All suits and other legal proceedings instituted or defended or which might but for the vesting and transfer under sub-section (1) have been instituted or defended by or against the Government or the local body or the Rural Development Board, as the case may be, may be continued or instituted or defended by or against the Authority.

17. *Decision of Government on the vesting of property to be final*; - Where any doubt or dispute arises as to whether any property or asset has vested in the Authority under section 16 or any rights, liabilities or obligations have become the rights, liabilities and obligations of the Authority under that section, such doubt or dispute shall be referred to the Government whose decision thereon shall be final.

18. *Vesting of existing water supply and sewerage services under local bodies.*

(1) As from the date following the expiry of a period of three years from the appointed day or such further period as may be specified by the Government in this behalf by notification in the Gazette,

(a) all the water supply and sewerage services, sewerage works and sewage farms including all the plants, machineries, pumping stations, distribution lines and public sewers in, along, over or under any public street and all the buildings, lands and other works, materials, stores and things appertaining thereto;

(b) so much of the sub-soil appertaining to the said distribution lines and sewers as may be necessary for the purpose of enlarging, deepening or otherwise repairing or maintaining any such distribution lines and sewers or any pipes and other appliances and fittings connected with such water supply and sewerage works; and

(c) all rights, liabilities and obligations including the right to recover arrears of water charges, meter hire and of any cost or fees relating to water supply and sewerage services, which immediately before the above mentioned date vested in any local body shall vest in and stand transferred to the Authority.

(2) The properties, assets, rights, liabilities and obligations referred to in sub-section (I) shall be valued in such manner as the Government may determine.

(3) Where any doubt or dispute arises as to whether any property or asset has vested in the Authority or any right, liability or obligation has become the right, which for the time being governs his service:

Provided that nothing contained in this sub-section shall apply to an employee in the cadres of the Administrative Officers, Financial Assistants, Divisional Accountants, Typists and Stenographers, who, by notice in writing given to the Government and the Authority within such time as the Government may, by general or special order, specify, intimates his intention of not becoming an employee of the Authority:

Provided further that an employee referred to in the preceding proviso shall continue to be an employee under the Government and shall be provided elsewhere in any post or other service under the Government.

(2) The sums standing in the credit of the employees referred to in sub-section (I) in any pension, provident fund, gratuity or other like funds constituted for them shall be transferred by the Government to the Authority along with any accumulated interest due till the appointed day and with the accounts relating to such funds and the Authority shall, to the exclusion of the Government be liable for payment of pension, provided fund, gratuity or other like sums as may be payable to such employees at the appropriate time in accordance with the liability or obligation of the Authority under this section, such doubt or dispute shall be referred to the Government whose decision thereon shall be final and binding on the Authority and the local body concerned.

19. *Transfer of employees to the Authority.*- (1) Save as otherwise provided in this section, every person who was employed in the Public Health Engineering Department of the Government shall, on and from the appointed day become an employee of the Authority and shall hold his office or service therein by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, gratuity and other matters as he would have held the same on the appointed day if this Act had not come into force and shall continue to do so until his employment in the Authority is terminated or until his remuneration or other terms and conditions of service are revised or altered by the Authority under or in pursuance of any law or in accordance with any provision condition\$ of their service.

(3) Notwithstanding anything contained in the Industrial Disputes Act, 1947 (Central Act 14 of 1947), or in any other law for the time being in force, the transfer of service of an employee to the Authority under sub-section (I) shall not entitle any such employee to any compensation under that Act or such other law and no such claim shall be entertained by any court, tribunal or other authority.

(4) Every permanent or temporary employee of the Public Health Engineering Department of the State Government under sub-section (I) shall on and from the appointed day, be a permanent or temporary employee, as the case may be, of the Authority, against a permanent or temporary post which shall stand created in the establishment of the Authority with effect on and from the appointed day.

(5) An employee referred to in the first proviso to sub-section (I) shall be deemed to have continued in the service of the Government between the appointed day and the date of relief from the establishment of the Authority after receipt of his notice in writing addressed to the Authority in that proviso and the Authority shall be entitled to reimbursement from the Government of the remuneration paid by it to such employee for such period.

(6) Nothing in any rule, regulations or order applicable to Government servants in relation to retrenchment or abolition of posts shall apply to any employee referred to in sub-section (I).

(7) Notwithstanding anything contained in the forgoing sub-section, the Authority shall be competent to take such disciplinary or other action as it thinks fit or to continue an~' such action already initiated against or in respect of any employee who becomes an employee of the Authority under sub-section (I) in respect of any act or omission or conduct or record of such employee while he was III the service of the Government.

20. *Transfer of employee of local bodies to the Authority.* - (I) Save as otherwise provided in this section an employee who was employed exclusively in connection with water supply or sewerage service or sewerage works under a local body whose properties assets and water supply and sewerage services have been transferred to the Authority under section 18 shall, on and from the date of transfer of such property and assets to the Authority, become an employee of the Authority.

(2) Notwithstanding anything contained in sub-section (I) but subject to any express agreement to the contrary, any employee referred to therein other than a workman as defined in the Industrial Disputes Act, 1947 (Central Act 14 of 1947), who becomes an employee of the Authority shall be liable for transfer from any establishment or undertaking in which he was employed immediately before the said date to any other establishment or undertaking belonging to the Authority at the same remuneration and on the same terms and conditions as were applicable to them immediately before such transfer.

(3) If any question arises to whether any person was exclusively employed in connection with the water supply or sewerage service or sewerage works under a local body immediately before the said date, such question shall be decided by the Government.

(4) The sums standing to the credit of the employees referred to in sub-section. (I) In any pension provident fund, gratuity or other like funds constituted for them shall be transferred by the local body concerned to the Authority along with any accumulated interest due till the said date and with the accounts relating to the said fund and the Authority shall, to the exclusion of the local body, be liable for payment of pension provident fund, gratuity or other like sums as may be payable to such employees at the appropriate time in accordance with the conditions of their service.

(5) Notwithstanding anything contained in the Industrial Disputes Act, 14 of 1947 (Central Act, 14 of 1947) or in any other law for the time being in force, the transfer of services of an employee to the Authority under sub-section (I) shall not entitle any such employee to any compensation under that Act or such other law and no such claim shall be entertained by any court, tribunal or other authority.

(6) Every permanent or temporary employee of a local body becoming an employee of the Authority under sub-section (I) shall on and from the said date, be a permanent or temporary employee as the case may be of the Authority, against a permanent or temporary post which shall stand created in the establishment of the Authority with effect the said date.

(7) Nothing in any rule, regulations or order applicable to employees of the local bodies in relation to retrenchment or abolition of posts shall apply to any employee referred to in sub-section (I).

(8) Notwithstanding anything contained in the foregoing sub-sections, the Authority shall be competent to take such disciplinary or other action as it thinks fit or to continue any such action already initiated against or in respect of any employee who becomes an employee of the Authority under sub-section (I) in respect of any act or omission or conduct or record of such employee while he was in the service of the local body.

CHAPTER IV **PROPERTY, CONTRACT, FINANCE, ACCOUNTS AND AUDIT**

21. *Execution and registration of contracts etc.* -Every contract for assurance of property on behalf of the authority shall be in writing and executed by such officer and in such manner as may be provided by the regulations.

22. *Funds of Authority* - (I) The Authority shall have its own fund to be called the "Kerala Water Authority Fund" which shall be deemed to be a local fund and to which shall be credited all moneys received otherwise than by way of loans by or behalf of the Authority.

(2) The Authority shall also have another fund to be called the "Kerala Water Authority's Loan Fund" which shall also be deemed to be a local fund and to which shall be credited all moneys received by or on behalf of the Authority by way of loans.

(3) Without prejudice to the provisions of sub-sections (I) and (2), the Authority may, with the previous approval of the Government, constitute such other funds as may be necessary for the efficient performance of its functions under this Act.

(4) All moneys specified in the foregoing provisions and forming part of the funds of the Authority shall be deposited under such detailed Heads-of Accounts as may be prescribed

(a) into the Public Account of the Government; or

(b) in the State Bank of India constituted under the State Bank of India Act, 1955 (Central Act 23 of 1955); or

(c) in Subsidiary Bank as defined in section 2 of the State Bank of India (Subsidiary Banks) Act, 1959 (Central Act 38 of 1959);- or

(d) in any Nationalized Bank coming within the scope of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (Central Act 50 of 1970) or the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (Central Act 40 of 1980); and the said account shall be operated upon by such officers of the Authority as may be authorized by the Authority and in such manner as may be prescribed:

Provided that the Authority may invest any sums not required for immediate use in such securities or debentures as may be approved by the Government.

23. *General Principles for the Authority's finance.* -The Authority shall not, as far as practicable and after taking credit for any grants or subventions or capital contributions or loans from the Government under section 24, carry on its operations under this Act at a loss and shall so fix and adjust its rates of taxes and charges under this Act as to enable it to meet as soon as feasible the cost of its operations, maintenance and debt service and where practicable to achieve an economic return on its fixed assets.

24. *Grants, subventions, capital contributions and loans to the Authority.*-The Government may, after due appropriation by law of the State Legislature, from time to time make grants, subventions, capital contributions and advance loans to the Authority for the purposes of this Act on such terms and conditions as the Government may determined.

25. *Power of Authority to borrow:-(1)* Notwithstanding anything contained in law for the time being in force under which any local body is constituted, the Authority shall with effect from the date of its establishment be the only local authority authorized to borrow any sum of money for water supply and sewerage works.

(2) Without prejudice to the provisions of sub-section (1), the Authority may, from time to time, with the previous sanction of the Government and subject to the provisions of this Act and to such conditions as the Government may, by general special order, determine, borrow any sum required for the purposes of this Act whether by the issue of bonds or stock or otherwise or by making arrangements with Banks or other bodies or institutions approved by the Government in that behalf.

(3) Stocks issued by the Authority under this section shall be issued, transferred, dealt with and redeemed in such manner as the Government may, by general or special order, direct.

26. *Depreciation Reserve:* - The Authority shall create a Depreciation Reserve and make annual provision therefore in accordance with such principles as may be prescribed.

27. *Guarantee for loans:- (1)* Government may guarantee the repayment of any loan and payment of interest on all loans made or transferred to the Authority for the purposes of this Act.

(2) The Government shall, so long as any such guarantee is in force, lay before the State Legislature in every year during the budget session, a statement of the guarantees, if any, given during the current financial year and up-to date accounts of the total sums, if any, which have been paid out of the Consolidated Fund of the State by reason of any such guarantee or paid into the said Fund towards repayment of any moneys so paid out.

28. *Estimates of income and expenditure.-(1)* The Authority shall before the commencement of, and may at any time during, a financial year prepare a statement or a supplementary statement, as the case may be, of the programme of its activities during the year as well as a financial estimate in respect thereof and the same shall be submitted in such manner, in such form and by such date as the Government may, by general or special order, direct, for the previous approval of the Government:

Provided that in the event of such previous approval not being received before the commencement of the financial year for which such financial statement has been submitted, the Authority shall be entitled to expend on all accounts up to an amount not exceeding the amount approved for the corresponding period of the previous

financial year and such amount shall not include any sum spend out of grants and subventions during the said period.

(2) Every financial estimate referred to in sub-section (1) shall make provision for the due fulfillment of all the liabilities of the Authority and for the efficient administration of this Act.

(3) Save where in the opinion of the Authority circumstances of extreme urgency have arisen, no sum exceeding one lakh of Rupees on account of recurring expenditure or exceeding five lakhs of Rupees on account of non-recurring expenditure shall be expended by the Authority in any year of account unless such sum has been included financial estimate submitted under sub-section (1) to the Government.

(4) Where any such sum is expended under circumstances of extreme urgency, a report thereon indicating the sources from which it is proposed to meet the expenditure shall be made as soon as practicable to the Government.

(5) The Government shall cause the financial estimates of the Authority received by it under sub-section (1) to be laid annually before the State Legislature.

29. *Accounts and Audit.* -(1) The Authority shall cause to be maintained such books of accounts and other books in relation to its accounts and prepare an annual statement of account and balance sheet in such form and in such manner as the regulations may require.

(2) The accounts of the Authority shall be audited by such auditor, in such manner and at such time as the Government may, by general or special order direct and the Audit so appointed shall have such powers of requiring the production documents and the furnishing of information respecting such matters, and shall have such powers in respect of disallowance and surcharge as may be prescribed.

(3) The accounts of the Authority as certified by the Audit together with the audit report thereon shall be forwarded annually to the Government who may issue such directions to the Authority as they may deem fit and the Authority shall complain with such directions.

(4) The Government shall,

(a) cause the accounts of the Authority together with the Audi report thereon received by it under sub-section (3) to be laid annually before the State Legislature; and

(b) cause the accounts of the authority to be published in such manner as may be prescribed.

30. *Surcharge.*- (I) The Chairman or the Managing Director or any other member, officer or employee of the Authority shall be liable to surcharge for the loss, waste or misapplication of any money or property of the Authority if such loss, waste, or misapplication is a direct consequence of his neglect or mis-conduct while acting as such Chainman or Managing Director or other member of officer or employee.

(2) Procedure of surcharge under subsection (I) shall be such as may be prescribed.

(3) Any amount found due from any person as surcharge under sub-section (I) as a result of proceedings for surcharge shall be recoverable as arrears of land revenue.

(4) Nothing in sub-section (3) shall prevent the Authority from deducting any amount referred to therein from any sum payable by the Authority on amount of remuneration or otherwise to such Chairman or Managing Director or other member, officer or employee.

CHAPTER V
TAXES, FEES AND CHARGES

31. *Cost of water.* -(1) The Authority shall, by notification in the Gazette, fix the cost of water to be supplied by it according to volume and also the minimum cost to be charged in respect of each collection.

(2) The Authority may in lieu of charging the cost of water according to volume accept a fixed sum for a specified period on the basis of expected consumption of water during that period.

32. *Cost of collection and disposal of waste water.*- (1) The Authority shall, by notification in the Gazette, fix the cost of collection and disposal of waste water according to its volume (which shall be such percentage of the volume of total water supplied to the consumer as may be prescribed and also the minimum cost to be charged in respect of such collection and disposal

(2) The Authority may, in lieu of charging the cost of collection and disposal of waste water according to the basis referred to in sub-section (1) accept a fixed sum for a specified period on the basis of expected collection and disposal of waste water during that period.

33. *Meter rent:* - The Authority may provide water meters and charge such rent for the meter as may be provided in the regulations.

34. *Security deposit*-The Authority may demand such sum as security from any consumer in connection with the supply of water or for sewer connection as provided in the regulations;

Provided that the Authority shall pay interest as such rates as the Government may from time to time determine on any sum so deposited with the Authority.

35. *Fees:* - The Authority may charge such fees for connection, disconnection and re-connection of any water supply or sewer for testing or supervision or for any other service rendered or work executed or supervised as may be provided in the regulations.

36. *Recovery of taxes, fees and other sums due.*-(1) Any sum due to the Authority on account of any tax, fee, cost of water, cost of collection and disposal of waste water, meterend, penalty, damage or surcharge under this Act shall be recoverable as arrears of land revenue.

(2) Nothing in sub-section (1) shall affect the power of the Authority to cut off in accordance with the regulations the connection of water supply in the event of non-payment of by the consumer of any dues referred to in that sub-section.

CHAPTER VI
WATER SUPPLY

37. *Definition of supply of water for domestic purposes.*- The supply of water for domestic purposes under this Act means supply of water for any purpose except the following, namely :

- (a) for any commerce or trade, manufacture or business;
- (b) for gardens or for purposes of irrigation;

Explanation: - In respect of premises used solely for residential purposes and having attached kitchen and domestic gardens, such domestic gardens shall not be treated as gardens for the purpose of this clause.

- (c) for building purposes;
- (d) for fountains, swimming bath, public bath or tanks or for any ornamental or mechanical purposes;
- (e) for animals where they are kept for sale or hire or for the sale of their produce or any preparation there from;
- (f) for the consumption and use at restaurants, or by inmates of hotels, boarding house, lodging,-cum-boarding houses or residential clubs and for baths used by such inmates;
- (g) for the consumption and use by persons resorting to theatres and cinemas; for making or watering streets; for washing vehicles where they are kept for sale or hire

38. *Supply of water by the Authority.*-(1) The Authority shall on an application made in that behalf by the owner or occupier of any premises, grant supply of water for domestic purposes for

(a) any premises situated within a distance of thirty metres from an existing main; or

(b) any premises situated beyond a distance of thirty metres from an existing main, if the applicant undertakes to bear the cost of extension beyond the distance of thirty metres.

(2) In cases falling under clause (b) of sub-section (1), the Authority shall bear the cost of extension only in respect of so much distance not exceeding thirty metres as is sufficient to connect the nearest existing main with the outer limit of the premises.

(3) Notwithstanding the fact that the cost of any extension has been borne under clause (b) of sub-section (1) by the person to whom water is supplied, the property therein shall vest in the Authority.

(4) The Authority may on application made in that behalf, grant supply of water for any purpose other than domestic, purposes.

(5) The supply of water for domestic or other purposes shall be subject to such tanks and conditions as may be provided by regulations.

(6) Notwithstanding anything to the contrary contained in the regulations referred to the subsection (5), the Authority may supply water to the Government or any local Authority or other statutory corporation or to any educational or charitable institution on such terms as to payment and as to the period and conditions of supply as may be agreed upon.

39. *Water supply for domestic purposes not to be used for non-domestic purpose.* -No person shall, except in such circumstances or subject to such conditions as may be provided by the regulations, use or allow to be used water supplied for domestic purposes for any other purpose.

40. *Provision of public hydrants.*-(1) The Authority shall, subject to the payment by a local body, of such charges as the Authority may determine provide supply of wholesome water to the public through the public hydrants within its local area.

(2) The Authority may, at the request of the local body and shall, if Government so directs, subject to payment of such contribution towards its cost in such manner as may be prescribed, provide and maintain within the local area public hydrants together with all incidental works for the supply of water at such places as may be considered necessary by the local body.

(3) The local body shall pay to the Authority quarterly such sum as may be fixed by the Authority, towards the cost of water supplied by it through the public hydrants within its local area on the basis of expected consumption of water and accordance with such principles as may be prescribed.

(4) Where any doubt or dispute between any local body and the Authority arises in regard to any matter mentioned in sub-section (1) to (3) such doubt or dispute shall be referred to the Government whose decision thereon shall be final and binding on the Authority and the local body concerned.

41. *Provision of fire hydrants.*-(1) The Authority may, at the request and expense of the owner or occupier of any factory or any shop or commercial establishment provide and maintain fire hydrants, together with all incidents; work for the supply of water in case of fire in such factory, shop or commercial establishment and in any such case charge from such owner or occupier the cost of water supplied in connection therewith.

(2) The Authority shall provide and maintain fire hydrants together with all incidental works for the supply of water in case of fire at such other places as may be considered necessary by a joint committees of the officers of the Authority and the Fire Services Department of the Government and supply water connection therewith.

42. *Provision of water metres.* -(1) The Authority may provide a water meter and attach the same to the service pipe in premises connected with the water works of the Authority.

(2) The expense of installation and the rent for the use of water meter referred to in sub-section (1) shall be paid by the consumer

(3) The provision of water meters and the transfer of connection thereto, the use, maintenance and testing of such meters and the expense of installation thereof and their rents and the furnishing of security, if, any, in connection therewith shall be regulated by regulations.

43. *Licensed plumbers.*- (1) No person other than a licensed plumber of the Authority or person, duly authorized by it shall execute any work in respect of a water connection *not* being a work of a trivial nature and *no* person shall permit any such work to be executed by a person other than a licensed plumber or by a person duly authorized by the Authority.

(2) When any work is executed in contravention of the provisions of sub-section (1), such work shall be liable to be dismantled at the discretion of the Authority.

44. *Prohibition of wastage of water.* -(1) No owner or occupier of any premises to which water is supplied by the Authority shall cause or suffer any water to be wasted or cause or suffer the service pipe or any tap or other fitting or work connected therewith to remain out of repair so as to cause wastage of water.

(2) Whenever the Authority has reason to believe that as a result or defect in a service pipe or tap or other fitting or work connected therewith water is being wasted, the Authority may, by written notice require the consumer to repair and make good the defect within such time as may be specified in the notice.

(3) If such repair is *not* carried out within the time specified, the Authority may without prejudice to any action against the consumer under any other provision of this Act cause such repair *to* be made and the cost of such repairs shall be realized from the consumer.

45. *Power to cut off water supply.*-(1) The Authority may cut off the water supply from any premises.

(a) If any tax, fee, rental, cost of water or any charge or other sum due under this Act, is not paid within a period of thirty days after service of a bill for the same~ or

(b) If after the receipt of written notice from the Authority requiring him to refrain from so doing, the consumer continues to use the water or to permit the same to be used in contravention of the provision of this Act or any rule or regulations made there under; or

(c) If the consumer damages or causes to be damaged to the water meter or any connection pipe or ferrule; or

(d) If the consumer refuses to admit any officer or servant of the Authority duly authorized in this behalf into the premises which he proposes to enter for the purpose of executing any work or placing or removing any apparatus or of making any examination or enquiry in connection with the water supply or prevents any such officer or servant from executing any work, or placing or removing any apparatus or making such examination or enquiry; or

(e) If the service pipe or any tap or other fitting or work connected therewith is found on examination by an officer or servant of the Authority duly authorized in that behalf to be out of repair, to such an extent as to cause wastage or contamination of water and immediate prevention thereof is necessary; or

(f) If the consumer causes or allows to be caused the service pipe or any tap or other fitting or work connected therewith to be placed, removed, repaired or otherwise interfered with, in contravention of the provisions 'of this Act or of the rules or regulations made there under; or

(g) If 'by reason of leakage in this service pipe or any or other fitting or work, damage is caused to a public street and immediate prevention thereof is necessary.

(2) No action taken under or in pursuance of this section shall release a person from any penalty or liability which he may otherwise have incurred.

(3) The Authority may re-connect the supply of water disconnected under sub-section (1) on payment of such charges and on such terms and conditions as may be provided by regulations.

46. *Prohibition of certain acts:* - (1) No person shall.

(a) Willfully obstruct any person acting under the orders of the Authority in setting out the lines of any work or pull up or remove any pillar, cost or stay fixed in the ground for the purpose of setting out the lines of such works, or deface or destroy any works made for the same purpose; or

(b) Willfully or negligently break, injure, turn on, open, close, shut off or otherwise interfere with any 19Ck, cock, valve, pipe, meter or other work or apparatus belonging to the Authority; or

(c) Unlawfully obstruct the flow' of or flush, draw off, or divert or take water from, any water works belonging to the Authority or any water course QY which any such water is supplied~ or

(d) Obstruct any officer or other employee of the Authority in the discharge of his duties under this

Chapter or refuse or willfully neglect to furnish him with the means necessary for the making of any entry, inspection, examination or inquiry there under in relation to any water works; or

(e) Bathe in, at or upon any water works, or wash or throw or cause to enter therein any animal, throw any rubbish, dirt or filth into any water works or wash or clean therein any cloth, wool or leather or the skin of any animal, or cause water of any sink, or drain or any steam engine or boiler or any polluted water to turn or be brought into any water works or do any other act whereby the water in any water works is fouled or likely to be fouled.

(2) Nothing in clause (b) of sub-section (1) shall apply to a consumer close in 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.

CHAPTER VII **SEWERAGE**

47. Right of owner or occupier to obtain sewer connection. -The owner or occupier of any premises shall be entitled to empty sewage of the premises into a sewer of the Authority provided that before doing so he

(a) obtains written permission of the Authority and pays connection fee in accordance with the regulations; and

(b) complies with such other conditions as may be provided by the regulations.

48. *Power to require owner to have sewer connection.*-Where any premises are, in the opinion of the Authority without sufficient means of effectual disposal of sewage and the sewer of the Authority is situated at distance of not more than fifty metres from any part of premises, the Authority may, by written notice, require the owner of the said premises to have sewer connection as provided may be regulations.

49. *Prohibition of connection with sewer.*-No person shall without the permission of the Authority make or cause to be made any connection or communication with any sewer of the Authority.

50. *Prohibition of construction of buildings, etc., over sewer.*-(t) No person shall without the permission of the Authority construct any private street, building, wall, fence or other structure on any sewer of the Authority.

(2) If any private street ~e constructed or any building, wall, fence or structure erected in any sewer as aforesaid without the written permission of the Authority, the Authority may remove or otherwise deal with the same .as it thinks fit.

(3) The expenses incurred by the Authority 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 person offending and shall be recoverable as an arrear of charges payable under this Act.

51. *Power to affix shaft etc., for ventilation of sewer or cess-pool.*- The Authority may for the purpose of ventilating any sewer or cess-pool, whether vested in the Authority or not erect upon any premises or affix to the outside of any building or to any tree any shaft or pipes as may appear to it to be necessary.

52. *Power to examine and test sewer etc., believed to be defective. -(l)* Where it appears to the Authority that there are reasonable grounds for believing that a private sewer or cess-pool is in such condition as to be prejudicial to public health or to be public nuisance or that a private sewer communicating directly or indirectly with a sewer of the Authority is so defective as to admit sub-soil water or grit or other material, it may examine its condition and for that purpose may apply any test, not being a test by water under pressure and if it deems necessary, open the ground.

(2) If on examination, the sewer or cess-pool so found to be in proper condition, the Authority shall, as soon as possible, re-instate any ground which has been opened by it.

(3) If, the sewer or cess-pool so examined is found to be defective, the Authority may forthwith stop its functioning or disconnect it from the sewer of the Authority, or require the owner or occupier to take remedial action as directed and within such time as may be specified by the Authority and in any such event the Authority may recover the cost incurred by it from the owner or occupier, as the case may be.

CHAPTER VIII

GENERAL PROVISIONS

53. *Power of entry, survey, inspection, etc.-II)* Any officer of the Authority authorized by it in that behalf may with or without assistance of workmen enter into or upon any premises in order

- (a) to make any inspection, survey, measurement or enquiry;
- (b) to take level;
- (c) to dig or bore into the sub-soil;
- (d) to set out boundaries and intended lines of work;
- (e) to mark such levels, boundaries and lines by placing marks and cutting trenches; or
- (f) to do any other thing necessary for the purpose of this Act or any rule of regulation

Proved that

- (i) no such entry into a building shall be made between sunset and sunrise;
- (ii) no dwelling house or place shall be so entered except with the consent of the occupier thereof or without giving the occupier at least twenty-four hours notice of the intention to make such entry;
- (iii) reasonable opportunity and facility shall be allowed to the women occupying any part of a dwelling house to withdraw; and
- (iv) due regard shall, so far as feasible, be paid to the social and religious customs and usages of the occupants of the premises entered into.

(2) Whenever any officer of the Authority authorized under sub-section (I) enters into or upon any premises in pursuance of that sub-section, he shall, at the time of such entry pay or tender payment for the damage, if any, to be caused by any act as aforesaid and in case of dispute as to the sufficiency of the amount of compensation, such dispute shall be referred to the Chairman whose decision thereon shall be final.

(3) When any person is entitled to enter into or open any premises in exercise of the powers under sub-section (I) he may also enter in similar manner into or upon any adjoining premises for any work authorized by or under this Act, or for the purpose of depositing therein any soil, stone or other materials or for obtaining access to such work or for any other purposes connected with the execution of the same.

(4) It shall be lawful for any officer authorized in this behalf by the Authority to make any entry into any place to open or cause to be opened any door, gate or other barrier,

(a) if he considers the opening thereof necessary for the purpose of such entry; and

(b) if the owner or occupier is absent, or being present refuses to open such door, gate or barrier.

(5) Before making any entry into any such place or opening or causing to be opened any such door, gate or other barrier under sub-section (4), the person authorized in this behalf shall call upon to or more persons of the locality in which the place to be entered into is situated to witness the entry or opening and may, issue an order in writing to them or any of them so to do.

(6) The officer so authorized shall in exercise of any power conferred by sub-section (4) do as little damage as may be possible and compensation for such damage shall be payable by the Authority to the owner or occupier of such premises or to both and in the case of any dispute as to the sufficiency of the amount of compensation, the dispute shall be referred to the Chairman whose decision thereon shall be final.

54. *Power to disinfect, pools, wells.*-(1) An officer authorized by the Authority in that behalf may have any tank, pool or well cleaned or disinfected after notice to the owner or occupier, if any, when it appears that such cleaning or disinfection is necessary to prevent or choke the spread of any dangerous disease.

(2) The cost of cleaning or disinfection referred to in sub-section (1) shall be recoverable from the owner or occupier of such tank, pool or well.

55. *Directions by the Government.* - (1) In the discharge of its functions, the Authority shall be guided by such directions on questions of policy as may be given to it by the Government.

(2) If any question arises as to whether any matter is or is not a matter in respect of which the Government may issue a direction under sub-section (1), the decision of the Government thereon shall be final.

56. *Annual reports, statistics and returns.*-(1) The Authority shall, after end of each financial year, prepare and submit to the Government before such date and in such form of the Government may direct a report give in an account of the activities, if any, which are likely to be undertaken by the Authority in the next financial year and the Government shall cause every such report to be laid before the State Legislature as soon as possible after it is received by the Government.

(2) The Authority shall furnish to the Government at such times and in such form and manner as the Government may direct such statistics and returns and such particulars in regard to any proposed or existing schemes or activities of the Authority or any other matter under the control of the Authority as the Government may from time to time, require.

57. *Duty of local bodies to assist.*- (1) All local bodies shall render such help and assistance and furnish such information to the Authority and shall make available for inspection and examination such records, maps, plans and other documents as it may require to discharge its functions under this Act.

(2) Without prejudice to the other provisions of this Act and notwithstanding anything contained in any other law for the time being in force under which any local body is constituted, the Government may give to any local body such directions as in its opinion may be necessary or expedient for enabling the Authority to perform its functions under this Act and thereupon it shall be the duty of the local body to comply with such directions.

58. *Protection of acts done in good faith.* -No suit, prosecution or other legal proceedings shall lie against the Government, the Authority or the Chairman, the Managing Director or other member of the Authority or any officer or servant of the Government or of the Authority for anything which is in good faith done or purported or intended to be done in pursuance of this Act or any rule or regulation made there under.

59. *Members, Officers and Servants of the Authority to be public servants.* - The Chairman, Managing Director, members, officers and servants of the Authority shall be deemed when acting or purporting to act in pursuance of the provisions of this Act or any rule or regulation made there under to be public servants with in the meaning of section 21 of the Indian Penal Code, 1860 (Central Act 45 of 1860) and the Prevention of Corruption Act, 1947 (Central Act 2 of 1947).

CHAPTER IX

PENALTIES AND PROCEDURE

60. *General Penalty*-Whoever, in any case in which a penalty is not expressly provided by this Act or any rule or regulations made thereunder, contravenes the provisions of this Act or of any rule or regulation made thereunder or fails to comply with any notice, order or requisition issued under this Act or any rule or regulation made thereunder shall be punishable with fine which may extend to one thousand rupees and in the case of a continuing failure or contravention, with an additional fine which may extend to twenty five rupees for every day on which such contravention or failure continues after this first conviction.

61. *Offences by companies.*- (I) If the person committing any offence under this Act is a company the company as well as every person in charge of and responsible to the company for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge, or that he exercised all the diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (I) where any offence under this Act, has been committed by a company, and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of any Director, Manager, Secretary

or other officer of the company, such Director, Manager, Secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.-For the purpose of this section

- (a) 'Company' means anybody corporate and includes a firm or other association of individuals; and
- (b) 'director', in relation to a firm, means partner in the firm.

62. *Composition of offences:* - The Managing Director or any other officer of the Authority authorized by it by general or special order in that behalf may either before or after institution of the proceedings, compound any offence punishable under this Act on such terms including payment of such composition fee as he may think fit.

63. *Duties of police officers and employees of local bodies.* -It shall be the duty of all police officers and of employees of the local body within whose local area any offence punishable under this Act is committed or attempted to be committed to give immediate information to the Authority or to any officer of the Authority authorized in that behalf, of the commission of, or of the attempt to commit such offence, as the case may be and to assist the officers of the Authority in the exercise of their Authority under this Act.

CHAPTER X

RULES, REGULATIONS AND BYE-LAWS

64. *Power to make rules.*- The Government may, by notification in the Gazette, make rules for carrying out the purposes of this Act.

(2) In Particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:

- (a) the salaries and allowances and other conditions of service of officers and employees of the Authority other than such officers and employees employed on contract basis;
- (b) the manner of operation of funds by the Authority under sub-section (4) of section 22
- (c) the manner of making provision for Depreciation Reserve and for its utilization;
- (d) the powers of the Auditor under sub-section (2) of section 29;
- (e) the manner in which the accounts of the Authority shall be published;
- (f) the procedure in respect of surcharge under section 30 including the provision of appeal, if any, in respect thereof;
- (g) the extent of contributions and manner of making such contribution by local bodies under section 40;
- (h) any other matter which is to be or may be prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before the legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

65. *Regulations.* -(1) The Authority may, *with* the previous approval of the Government make regulations not inconsistent with this Act and the rules made thereunder, for the administration of the affairs of the Authority.

(2) In particular and without prejudice to the generality of the forgiving power, such regulations may provide for all or any of the following matters namely:

(a) the summoning and holding of meetings of the Authority, the time and place where such meetings are to be held, the conduct business at such meetings and the number of persons necessary to home a quorum thereat:

(b) the powers and duties of the employees of the Authority;

(c) the management of property of the Authority;

(d) the execution of contracts and assurance of property on behalf of the Authority;

(e) the limits up to which the Managing Director shall be competent into incur recurring or non-recurring expenditure in any financial year without such expenditure being included in the statement under subsection (1) of section 28;

(f) the maintenance of accounts and the preparation of annual statement of accounts and balance sheet by the Authority ;

(g) the procedure for carrying out the functions of the Authority;

(h) the terms and conditions for supply of water for domestic or other purposes;

(i) the installation of meters or transfer of their connection and their use, maintenance, testing disconnection and reconnection, the fees, the rent and other charges in respect thereof including the furnishing of security by the consumer and matters connected therewith;

(j) the fee to be paid for connection with a sewer of Authority and other terms and conditions for such connections;

(k) any other matter for which provision is to be or may be made in regulations.

CHAPTER XI TRANSITORY PROVISIONS AND REPEAL

66. *Transitory provisions.* -(1) Any buy-laws by whatever name called made by the local body in relation to the provision of water supply and sewerage services under the Acts constituting such local bodies before the date of constitution of the Authority and inforce immediately before the said date shall continue inforce to the extent they are not inconsistent with the provisions of this Act, until such time as regulations are framed by the Authority under section (65).

(2) Any water charge, fee or other item of receipt by whatever name called levied by the local body or by the officers of the Public Health Engineering Department before the date of constitution of the Authority and any notification, notice, order or direction in relation to such levy or to the provision or water supply and sewerage services issued immediately before the said date including any assessment of such levy order for exemption or connection, disconnection or re-connection made or granted or any penalty imposed in respect of the owner or occupier of any premises or any license issued to a plumber or any order made in connection therewith under any provision of law applicable to the I('cal body having jurisdiction over such area and inforce immediately before the said shall continue inforce until other provision or order is made or other proceedings or action taken under this Act by the Authority for levy or assessment or fore-grant of such license or connection or provision of such services and any reference in such notification, notice, order, direction, by-laws or

license to the local body shall be construed as a reference to the Authority and in particular, proceeds of such charges or levy or other items of receipt shall go to the Fund of the Authority :

Provided that in respect of local bodies, this action shall have effect from the date referred to in a sub-section (1) of section 18.

67. *Exclusion of powers of local bodies under certain enactments.* -Except as provided in section 66, on and from the day on which the Authority is constituted, and in respect of local bodies, on and from the date referred to in sub-section (1) of section 18,

- (a) any city constituted under the Kerala Municipal Corporations Act, 1961 (80 of 1961);
- (b) any Municipality constituted under the Kerala Municipalities Act, 1960 (14 of 1961); 33, 3374/MC
- (c) Guruvayoor Township constituted under the Guruvayoor Township Act, 1961 (43 of 1961);
- (d) any Panchayat constituted under the Kerala Panchayats Act, 1960 (32 of 1960) shall have the powers, duties and functions under the said enactments as if the powers, duties and functions assigned by this Act to the Authority including the power to hold any property for purposes of the said duties and functions were excluded from the powers, duties and functions of the corporations, the municipal council, the township committee or the Panchayat as the case may be.

68. *Amendment of Act 15 of 1971.*-With effect from the date on which this Act comes into force either in part or in full, the Kerala State Rural Development Board Act, 1971 (15 of 1971), shall have effect subject to the following amendments, namely:

(i) in section 7, in sub-section (I), the brackets, letters and words "(a) water supply schemes" and "(b) sewerage schemes" shall be omitted; and

(ii) in section 8, in the Explanation, the words "the Public Health Engineering Department shall be the Engineering Department of the Government in respect of water supply and sewerage schemes and" shall be omitted.

69. *Amendment of Act 19 of 1970:* - With effect from the date of publication of this Act, in the Gazette, the Kerala Public Service Commission (Additional functions as respect certain Corporations and Companies) Act, 1970 (19 of 1970) shall have effect subject to the following amendment, namely: in clause (a) of section 2, the words and figures "or the Kerala Water Authority" established under section 3 of the Kerala Water Supply and Sewerage Act, 1986;" shall be added at the end.

70. *Removal of difficulties.* -(1) The State Government may, for the purpose of removing any difficulty, particularly in relation to the transition from the provisions of the enactments referred to in section 67 to the provisions of this Act by order, direct that the said enactments shall, during such period as may be specified in the order, have effect subject to such adaptations, whether-by way of modifications, addition or omission not affecting the substance, as it may deem to be necessary or expedient.

(2) Every order made under sub-section (1) shall be laid before the State Legislature.

71. *Repeal and saving.*-(1) The Kerala Water and Waste Water Ordinance, 1986 (27 of 1986), is hereby repealed.

(2) Notwithstanding such repeal anything done or deemed to have been done or any action taken or deemed to have been taken under the said Ordinance shall be deemed to have been done or taken under this Act.



KERALA GAZETTE

EXTRA ORDINARY

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Vol. XXXI)

Trivandrum,

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11th August 1986

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GOVERNMENT OF KERALA

Local Administration (F) Department NOTIFICATION

G.O. (P) No. 8/86/LAD.

Dated, Trivandrum, 8th August 1986.

S.R.O.No.1208/86.-In exercise of the powers conferred by sub-section (I) of section 3 of the Kerala Water Supply and Sewerage Act, 1986 (14 of 1986), read with section for thereof the Government of Kerala hereby change the name of the "Kerala Water and Waste Water to the 'Kerala Water Authority' and appoint Shri K. Ramachandran, Secretary, Local Administration Department, Secretariat as Chairman of the Authority for a period on years and consequently make the following amendments to the Notification published under G. O. (P) 47/84/LA& SWD dated the 1st March 19.84 as S.R.O. No.219/84 in the Kerala Gazette Extraordinary No.175 dated the 1st March, 1984, namely :

AMENDMENTS

In the said notification,

(1) For the words "the Kerala Water and Waste Water Authority", the words "the Kerala Water Authority" shall be substituted:

(2) For item (1) and the against it the following shall be substituted, namely:

"(1) Shri K. Ramachandran, Secretary,
Local Administration Department
Secretariat

Chairman"

By order of the Governor,

V. RAMACHANDRAN,

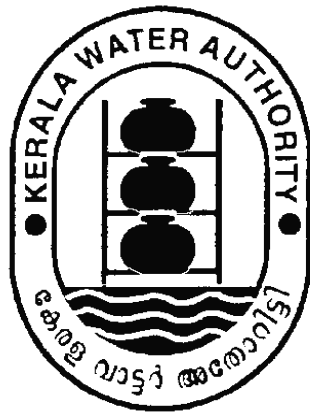
Chief Secretary.

Explanatory Note

(This does not form part of the Notification but is intended to indicate the general Purport).

The Kerala Water Supply and Sewerage Act, 1986 has modified the name of the "Kerala Water and Waste Water Authority" as 'Kerala Water Authority'. It is considered necessary to make appropriate changes in the Notification constituting the Authority. Government have also since decided to appoint Shri K. Ramachandran, now Secretary, Local Administration Department, Secretariat as Chairman of the Authority. As per section 4(a) of the Kerala Water Supply and Sewerage Act, 1986, Government have to notify the appointment in the Gazette. This Notification is intended for the above purposes.

KERALA WATER AUTHORITY



KERALA WATER AUTHORITY (WATER SUPPLY) REGULATIONS, 1991

GOVERNMENT OF KERALA

Abstract

Kerala Water Supply and sewerage Act, 1986-The Kerala Water Authority (Water Supply) Regulations, 1991 proposed to be issued under sub-section (2) of section 65 - Previous approval of Government under sub-section (1) of section 65 Conveyed-orders issued.

LOCAL ADMINISTRATION (F) DEPARTMENT

GO MS. No. 318/91/LAD

Dated, Thiruvananthapuram, 4-12-1991

Read: Letter No. *KWAI/FM/1515/89* dated 28- '2-1989 from the Managing Director, Kerala Water Authority.

ORDER

Under sub-section (1) of section 65 of the Kerala Water Supply and Sewerage Act, 1986 (14 of 1986) Government as pleased to convey its previous approval to the Kerala Water Authority for the Kerala Water Authority (Water Supply) Regulations, 1991 proposed to be issued under sub-section (2) of section 65 of the said Act as per the draft appended to this order.

By Order of the Governor,
V.K. SIVASANKARAN
Addl. Secretary to Government.

To

The Managing Director,
Kerala Water Authority,
Thiruvananthapuram

Forwarded/By Order
(Sd/-)
Section Officer.

Stoke File

No. *KWASIFM/1515/91*

Dated: 9th December 1991
Thiruvananthapuram

In exercise of the powers conferred by clauses (h) and (i) of sub-section (2) of section 65 of the Kerala Water Supply and Sewerage Act. 1986 (14 of 1986) and with the previous approval of the Government as required by sub-section (1) of the said section conveyed in G.O.MS No. 318/91/LAD dated 2-12-1991, the Kerala Water Authority hereby make the following regulations namely:

REGULATIONS

1. Short title and commencement- (J) These regulations may be called "Tile Water Authority (Water Supply Regulations, 1991".

(2) They shall come into force at once.

2. Definitions:- In these regulations, unless the context otherwise requires

(a) 'Act' means the Kerala Water Supply and Sewerage Act 1986 (14 of 1986);

(b) 'Assistant Engineer' means the Assistant Engineer of the Authority in charge of the water supply in the area;

(c) 'Assistant Executive Engineer' means the Assistant Executive Engineer of the Authority in charge of the Water Supply in the area;

(d) 'average water charges' means, the water charges at arrived at based on the average consumption of water noted for a period as may be decided by the Authority through a working meter that existed or installed later at the premises of a consumer;

(e) 'casual connection' means a category of Water Supply connection provided from the main to a premise to supply water for building construction or other activities or any other demands, for a limited period, including the water supply needs of the workers and staff engaged in the above works or activities;

(f) 'domestic connection' means a category of water supply provided from the main to premise to supply water for domestic purposes;

(g) 'Executive Engineer' means the Executive Engineer of the Authority having administrative control over the Assistant Executive Engineer;

(h) 'house connection' means the connection by pipes from the main to the limit of the premises concerned or to the meter whichever is further from the main;

(i) 'inside installation', means all the pipes, specials, valves, cocks, taps, other fittings and appurtenances laid beyond the meter within the consumers premises and shall include the service pipe and water connection also;

(j) 'licensed plumber' means a plumber or firm who has been provided with license issued by the Executive Engineer subject to the regulations made for the issue of plumbing licensees in Appendix A attached to the regulations;

(k) 'meter' means a water meter which can be installed, directly in series or in parallel to a main connection pipe or service pipe and used for measuring the quantity or water by volume following through the main connection pipe or service pipe as the case may be and shall include;

(j) proportional type of water meter and

(ii) bulk flow meter

(j) 'non domestic connection means a category of water supply connection provided from the main to a premises to supply water for purposes other than domestic purposes and shall include a casual connection;

(m) 'SME', means Street Main Extension and includes all kinds of extensions done to mains but excludes house connections;

(n) 'Superintending Engineer' means the Superintending Engineer of the Authority having Administrative control over the Executive Engineer.

3. Responsibilities of the Authority:-Except in so far as is otherwise provided in the Act or any Rules issued thereunder or in these regulations the Authority shall be responsible for all the works connected with the supply of water to the consumers served by Water Supply Systems vested in or transferred to or acquired by the Authority.

4. Application for house connections:- (a) Application for house connections from the mains shall be made by the owner or occupier of the premises, through licensed plumber to the Assistant Executive Engineer under whose jurisdiction the main comes in Form No. 6A1 for domestic, non domestic and casual connections:

(b) Application fee for house connection shall be such amount as may be prescribed by the Authority from time to time.

5. Connection fee for Domestic/Non-domestic connections has connections and Deposits:- (a) on receipt of the application house connections with fee, the Assistant Executive Engineer shall arrange to inspect the feasibility of the house connection to the application's premises.

(b) When application for house connection includes requests for extension of main for granting the supply as laid in clause (a) and (b) of sub section (1) of section 38 of the Act, the Assistant Executive Engineer shall decide whether the main extension requested is necessary for effecting the house connection applied for.

(c) Where street main extension is not necessary, the applicant shall remit a connection fee of

(i) Rs. 250% in the case of application for domestic connection; and

(ii) Rs. 500/- in the case of application for non-domestic and casual connections.

(d) Applicants seeking house connection with extension of street main not exceeding 30 metres shall remit a fee of Rs. 500 over and above that prescribed in clause (c) of this regulation. If the length of such SME exceeds 30 metres the provisions contained in Appendix 'B' to these Regulations shall apply to such extensions.

(e) Notwithstanding anything contained in the above regulations, applicant seeking casual connections shall deposit an amount equal to Rs. 5.00/m² of the plinth area of the building proposed to be constructed at the premises, for which the casual connection is applied for, subject to a maximum of Rs. 10,000/-

NOTE:- 1) If in a premise where a casual connection is provided by the Authority realizing a deposit from applicant as per clause (e) of this regulation, additional buildings are proposed to be built the consumer shall deposit additional amount based on the plinth area of the new construction proposed at the rates specified in the said clause subject to the maximum limit prescribed.

2) In cases of application for casual connection to premises where construction or any other activity not measurable on plinth area basis are proposed, the amount of deposit as per clause (c) above shall be fixed as decided by the Executive Engineer.

(f) Applications for house connections shall be accompanied by detailed sketches for drawings or both, as the case may be, as prescribed in the Appendix A" to these Regulations dealing with issue of plumbing licenses.

Procedure on payment of connection fee and deposits: - (a) If the amount as per regulation 5 of these Regulations is not remitted within the time fixed, or within such further time allowed by him, the Assistant Executive Engineer may reject the application. On receipt of the amount, the Assistant Executive Engineer shall accord sanction for the house connection and arrange to provide the connection as early as possible.

(b) Notwithstanding anything contained in the above regulations, the deposits made by applicants seeking casual connections as per clause (c) of regulation 5 of these Regulations shall be adjusted towards the water charges if any, due from the consumer and the balance thereof shall be refunded to the consumer within three months of the disconnections of the casual connections.

7. House Connections:- (a) No house connection shall be given to any applicant, if in the opinion of the Assistant Executive Engineer, the pressure in the main is not sufficient for providing the connection.

(b) Not more than one house connection shall ordinarily be given to a premises.

(c) Extension of house connection, the water connection, or service pipe of the above house connection from one premises to another without the permission of the Assistant Executive Engineer shall constitute a violation of the provisions of these regulations.

(d) Separate house connections may be provided buildings situated in the same premises but bearing separate house numbers.

(e) In the event of building provided with a house connection, is assigned two or more different house numbers at a later stage, separate house connections may be provided for the portions.

(f) House connection given to a premises shall be in the name of applicant, originally applying for the house connection, the owner or occupier of the premises, which shall be entered in the revenue ledger sheet or record maintained by the Authority, transfer of the house connection to another person's name shall be made only on written application made by the owner of the premises, in Form No. 1 to the Assistant Executive Engineer accompanied with a fee of Rs. 15/-

(g) House connections using connection pipes of size exceeding 25 mm diameter shall ordinarily be allowed in respect of premises where water demand is estimated to be high such as residential complexes flat type of residential buildings or premises where bulk consumption of water is expected and where the service pipe is proposed to be connected directly to a storage tank facilitating a free discharge of water to it. In such cases where connections are to be given directly to storage reservoirs the provisions contained in Appendix 'C' to these Regulations shall apply

8. Repairs or Alterations of the House connections:

(a) Repairs or alterations to house connections shall be made only through the Authority or through plumbers duly licensed by the Authority and in such cases previous sanction for the repair or alteration, as the case may be, shall be obtained from the Assistant Executive Engineer.

(b) Applications for alterations to house connections shall be made in form No. II to the Assistant Executive Engineer along with an application fee of Rs. 15/

(c) The application for such alterations shall be supported with the details as laid down in the Appendix 'A' to these Regulations dealing with the issue of plumbing licenses.

(d) The Assistant Executive Engineer shall, on receipt of the application and fee, arrange to scrutinize the estimate and examine the feasibility of the alteration applied for and issue sanction subject to the receipt of the fee mentioned in clause (e) below and also subject to the modifications if any suggested by him, to carryout the repair or alteration. Such sanctions shall be issued in form No. RA 6.

(e) In all cases mentioned in clause (d) above, the alteration fee shall be Rs. 100/- and the intimation to the party to remit the amount shall be in form No. RA 5.

(f) The Assistant Executive Engineer or any one authorized by him may suomoto undertake or arrange repairs or alterations to any house connections after issuing a notice in form No. III to the owner or occupier of the premises calling upon him to deposit the estimated cost of the repairs or alterations.

(g) The Assistant Executive Engineer or anyone authorized by him may also undertake or arrange repairs to any house connection without issuing a notice to the owner or occupier of the premises. If in the opinion of the Assistant Executive Engineer, the situation warrants urgent repairs.

In all such cases, the cost of repairs shall be intimated to the owner or occupier of the premises in form No. IV calling upon him to remit the amount.

(h) If the cost of repairs as called upon in clauses (f) or (g) above is not remitted within the period fixed in the notice, the Assistant Executive Engineer shall arrange to disconnect the water supply from the premises and realize the amount from the owner or occupier.

A reconnection of water supply to the premises shall be made only after the entire amount due from the owner or occupier of the premises as per demands made under this regulation and also clause (d) of regulation 14 are remitted.

(i) If the actual cost of repair or alteration made as per clause (f) above is more than the amount remitted by the owner or occupier, a notice in form No. V shall be issued calling upon him to remit the balance amount with the Assistant Executive Engineer. If the amount so called for is not remitted within the time specified, the Assistant Executive Engineer shall disconnect the water supply from the premises.

A reconnection shall be made only if all sums due as per demands made vide regulation 7 and also clause (d) of regulation 14 are remitted.

(j) If the actual cost of repairs is less than the amount deposited as per clause (f) the difference shall be refunded to the owner or occupier.

9. Disconnection of the house connection: (a) Whenever the owner or occupier desires to have his house connection closed temporarily, he may apply in form No. RA4 to the Assistant Executive Engineer along with an application fee of Rs. 15/- and disconnection fee of Rs. 50/-. The applicant shall remit-all the sums due from him to the Authority on account of meter hire, water charges, meter service charges, penalties etc before applying for the temporary disconnection.

(b) The Assistant Executive Engineer on receipt of the application with the necessary fees and on verification if satisfied that there are no sums outstanding to the Authority from the owner or occupier of the premises, shall arrange to temporarily disconnect the water supply from the premises.

(c) A reconnection in the above case shall be made only if a reconnection fee of Rs. 50/- as envisaged in clause (d) of regulation 14 of these Regulations is made by the applicant. Application for reconnection shall be made in form No. RA-2 along with the application fee of Rs. 51/-.

(d) Whenever the owner or occupier desires to have his house connection disconnected permanently, he shall apply in form No. RA4 to the Assistant Executive Engineer through a licensed plumber along with an application fee of Rs. 15/- and disconnection fee of Rs. 50/-. The owner or occupier shall also remit all sums due to the Authority on account of water charges, metre hire, meter service charges and penalties if any before applying for the permanent disconnection.

(e) The Assistant Executive Engineer, on receipt of the application with fee, shall arrange to scrutinize the application and when satisfied that there are no sums due from the applicant to the Authority, issue sanction for the disconnection in form No. RA.7.

10. CASUAL CONNECTIONS: (a) Casual connections shall be provided from the mains to a premises to supply water for building construction or other activities or any other demands including the water supply needs of the workers and staff engaged in the above works or activities for a limited period.

(b) The application for casual connections shall be accepted by the Assistant Executive Engineer. The applicants seeking casual connections shall deposit the amount prescribed under clause (e) of regulation 5 of these Regulations.

(c) The provisions under regulation 4 and clauses (a) and (b) of regulation 5 of these Regulations shall apply to casual connections, except that the sanction for casual connections and receipt and realized of deposits mentioned at clause (e) of regulation 5 of these Regulations shall be made only with the previous approval of the Executive Engineer.

(d) One completion of the work/activity or one occupation of the building, as the case may be the consumer has to apply for closure or conversion of the casual connection to temporary or permanent domestic/non-domestic connection.

(e) Temporary domestic conversion may be sanctioned only in case of buildings which have been occupied by the owner or occupier for domestic purpose. In all other cases the connection may be converted as temporary non-domestic.

(f) Permanent conversion can be made only if the building under construction is assigned a building number by the Corporation/Municipality Panchayat in which the building is situated. In such cases the casual connections may be converted as permanent domestic if the building has been occupied for domestic purposes by the owner or occupier. In all other cases where occupation is not for domestic purposes, the connection may be converted as permanent non-domestic.

(g) Casual connections converted as temporary domestic/non-domestic connections shall have the prefix 'Temp' preceding the connection number. The serial number otherwise will be in continuation of the permanent connection.

(h) No casual connections shall be connected with the inside installations without the sanction of the Assistant Executive Engineer for conversion as either temporary domestic/non-domestic connection or permanent domestic/non domestic connection.

(i) Casual connections connected with the inside installations without the sanction of the Assistant Executive Engineer shall be treated as illegal extension and shall be disconnected by the Authority without notice. The consumer and the plumber making such illegal connections are liable to be fined in such cases.

(j) All sums due to the Authority on account of water and other related charges and fines shall be remitted by the consumer/applicant before applying for the realise of the deposit. Deposit shall be realised only in cases of permanent conversion.

(k) The entire quantity of water consumed by the owner/occupier of the connection shall be charged from the date of temporary conversion, at domestic or non-domestic rates as the case may be free allowance, if there is any, shall not be allowed in such cases.

(l) No fresh application is necessary for converting a temporary connection to a permanent connection except the production of the Annual rental value certificate of the building provided with the above connection from the Corporation/Municipality/Panchayat as the case may be. The certificate along with a written request from the owner/occupier of the premises shall be submitted to the Assistant Executive Engineer for sanction of the conversion.

(m) A register shall be maintained in the office of the Assistant Engineer and Assistant Executive Engineer showing the above details in Form No. VI.

11. Construction, repair, alterations and extension of inside installations: - (a) (i) No person, other than plumbers duly licensed by the Executive Engineer as provided under Appendix A to these Regulations, shall be employed by the owner or occupier for the construction, repairs, alterations or the extension of inside installations.

(ii) Notwithstanding anything contained above, those plumbers already holding plumbing licenses issued by the Executive Engineer, before the date of coming to effect of the Regulations, under the Wellington Water Works Rules, 1934, shall be employed in the construction, repairs, alterations or extensions of inside installations for a period of one year from the enforcement of these Regulations by which time they shall acquire eligibility to obtain fresh plumbing licenses under these Regulations as contained in Appendix A.

(b) Inside installations at premises shall be laid only with the previous sanction of the Assistant Executive Engineer, in accordance with the provisions provided therefore, and in accordance with the plan and specifications approved by the Assistant Executive Engineer. No connection shall be established between any water supply main and the inside installations have been accepted and approved by the Assistant Executive Engineer or any other person authorized by him. Applications for sanctions to carry out inside installations shall be in form No. VII and the application fee shall be Rupees 50/- Sanction for construction repairs/alterations of inside installations shall be made in Form VII A.

(c) No alteration or extension shall be made to the inside installations without the previous sanction of the Assistant Executive Engineer.

12. Installation of water meter and stop cock:- (a) Every premises to which water is supplied, shall be provided with a separate house connection, separate stop cock and separate meter attached to the connection pipe.

(b) In the case of domestic connection, the Assistant Executive Engineer may, subject to the availability of meter with the Authority provide the meter at the premises. The hire charge for such meter shall be Rs. 5/- per month. In the case non- domestic and casual connection the consumer shall provide water meter.

(c) Applications for the water supply connection shall have the choice to install their own meter at their premises provided the meter is having Bureau of Indian Standards certification marks, and approved by the Authority and having a test certificate issued by the Assistant Executive Engineer regarding the accuracy of the meter. Meter shall be proceed by the applicant and produced before the Assistant Executive Engineer for inspection and installation at site.

(d) Every meter shall be provided with a meter boards and cover, of a type approved by the Authority made of good weather resistant and strong material like steel, cement concrete or HDPE, by the owner or occupier of the premises. The meter shall be placed above ground level, wherever practicable, in such a manner as to be easily read, repaired or serviced.

(e) It shall be the responsibility of the owner or occupier of the premises to keep the meter, meter boards and its surrounding clean and easily accessible for taking meter readings, inspection and servicing by the Assistant Executive Engineer or anyone authorized by him to do so. The responsibility for the safe custody and sound condition of the meter shall also vest with the consumer. When a meter provided by the owner or occupier goes out of order, the same shall be got replaced or repaid as the case may be, within a period of 30 days of the report of the damage, by the Assistant Executive Engineer at the cost of the owner or occupier. The owner or occupier of the premises shall also inform the Assistant Executive Engineer. As soon as any defect is noticed in the meter or its recording.

Provided that the condition laid down in clause (b) above shall apply to cases mentioned in this clause where replacement of a meter damaged beyond repair has to be made.

(f) An amount of Rs. 2/- per meter every month shall be levied from the owner or occupier of the premises provided with house connection where the meter installed is provided by the owner / occupier and where the facility for servicing the meter provided by the Authority, towards servicing charges of meters.

13. ASSESSMENT OF WATER CHARGES:- (a) The water consumed at the premises of a consumer shall be assessed at such intervals as decided by the Executive Engineer from time to time, based on meter readings taken from the meter fixed to the house connection at the premises of the consumer.

(b) The Authority may also fix -the monthly rate of water charges of a consumer based on his average consumption of water for any previous six months in the case of existing connections and based on the estimated consumption in the case of new connections and issue a provisional card in Form No. VIII indicating therein the amount of water charges payable by the consumer every month, the date of payment and the institution at which the amount is to be remitted: The charges so fixed shall be revised if the consumption of water at the premises of the consumer is found to have increased or decreased based on the observations of the meter readings taken in the subsequent six months to the last period.

(c) The Authority may also introduce a slab system for collection of water charges. The slab so fixed shall be revised if the consumption of water at the premises of the consumer is found to have increased or decreased as the case may be, based on observations of the meter readings taken in the subsequent six months to the last period. The initial average rate for the first six months shall be fixed on the average consumption or metered average consumption of any six month proceeding the date of coming into force of the slab system.

(d) If the water charges as provided under classes (b) and (c) of this regulation, already remitted by the consumer is found to be in excess or short based on the meter readings taken subsequently, the consumer shall pay to the Authority the amount short remitted and the Authority shall adjust the amount collected in excess from the consumer in the subsequent payment. An adjustment bill in Form No. IX shall be issued once in every six months to the consumer indicating the excess or short remitted by the consumer.

14. FINE ON DEFAULT OF PAYMENTS OF WATER CHARGES AND DUES ETC:- (a) The charges due for the water consumed in a month, subject to the minimum charge and the other levies fixed by the Authority vide section 31 and 33 of the Act as computed in the manner indicated in regulation 13 or in clauses (d) and (e) of regulation 17 of these Regulations shall be paid by the owner or occupier of the premises to the Assistant Executive Engineer or any other officer or agency authorized by the Authority on or before the date indicated in the bills or the slab cards, as the case may be.

(b) A fine amounting to Rs. 5.00/month in respect of domestic connections and Rs. 10.00/- month in respect of non domestic connections shall be levied by the Authority from consumers who fail to pay the water charges on or before the dates indicated in the bills or the slab card served. For the purpose of this clause a month shall be taken as 30 days and fractions of a moth shall be treated as a full month.

(c) If the charges are not paid within 30 days of the dates indicated in the bills or slab, the Assistant Executive Engineer shall have the power to cut off water supply from any premises without any notice.

(d) The Assistant Executive Engineer may reconnect a supply disconnected under clause (c) if the charges due together with a disconnection fee of Rs. 50/- and reconnection fee of Rs 50/- are remitted by the consumer.

15. COMPLAINTS TO THE NATURE OF ACCURACY OF WATER CHARGES:- (a) Complaints if any, regarding the nature and/or accuracy of the water charges demanded, shall be made in writing to the Assistant Executive Engineer within 20 days of the delivery of the bill or receipt of the slab card as the case may be

(b) The Authority to exercise a revision of water charges in the demand bills already made and the corresponding corrections in water revenue accounts and ledgers shall be the Executive Engineer and in all such cases revision of water charge demands already made, the decision of the Executive Engineer shall be final.

Provided that clerical and other accounting errors found in the water charges demands and bills already made, shall be corrected by the Assistant Executive Engineer with necessary corrections in the ledger Accounts and records.

16. CONVERSION OF DOMESTIC CONNECTION INTO NON-DOMESTIC AND VICE VERSA:

(a) Whenever a change in the nature of occupancy of a premises occur entailing the owner or occupier of the premises a revision in water tariff, the owner or occupier as the case may be shall bring the same to the notice of the Assistant Executive Engineer by a written application in Form No. X along with an application fee of Rs. 5.00. The revision in water tariff, if found eligible by the Assistant Executive Engineer, shall be effected from the date of application or from such date as he may deem fit.

(b) The Assistant Executive Engineer shall convert a domestic to a non-domestic connection from such date as he may deem fit for the purpose of collecting water charges when the nature of occupancy of a premise is reported, by an officer duly authorized by him or the Authority, to have changed or the water supplied to the premises used for building purpose or other industrial, commercial or trade activities necessitating revision of tariff.

17. TESTING OF WATER METERS ALREADY INSTALLED AND THEIR REPLACEMENT:

(a) If the owner or occupier of the premises entertains doubts about the accuracy of the meter installed at his premises may apply in Form No. RA.3 to the Assistant Executive Engineer or any person authorized by him, to have the meter tested. A meter-testing fee of Rs. 10.00 shall be paid along with the application.

(b) On receipt of the application and fee the Assistant Executive Engineer shall arrange to get the meter tested. If on testing, it is found that the quantity registered by the meter defers from the actual quantity by plus or minus 10 percent or more the Assistant Executive Engineer shall arrange to get the meter repaired or replaced. The cost of such repair or replacement shall be borne by the Authority if the meter found defective was provided at the cost of the Authority. In all other cases, the cost of repair or replacement shall be borne by the owner or occupier.

Provided that the provisions under clauses (b) and (c) of regulation 12 of these Regulations shall be applicable in such cases of replacement of meters mentioned above.

(c) The Assistant Executive Engineer may at his initiative arrange to test any water meter at any premises at any time between 8 a.m. and 5 p.m. on any day, after giving notice to the owner or occupier of the premises concerned, and if found defective, shall have the meter repaired or replaced at the cost of the owner or occupier if the above meter was provided at the cost of the owner or occupier. If the meter defective was originally provided at the cost of the Authority, the cost of repair or replacement shall be borne by the Authority.

Provided that the provisions under clauses (b) and (c) of regulation 12 of these Regulations shall apply also to such cases of replacement of meter mentioned above.

(d) If one examination, any meter is found to be out of order and not registering correctly, the

consumption dating from the reading previous to the last reading, till the repair or replacement of the meter be calculated at the average consumption registered for any previous period during which in the opinion of the Assistant Executive Engineer the meter installed at the premises was registering correctly and the consumption of water was abnormal. The Assistant Executive Engineer shall arrange to correct the bill and also slab card with corresponding corrections in the ledger sheets, accordingly. If the owner or occupier of the premises as any objection regarding the rate of consumption of water fixed by the Assistant Executive Engineer, he was a right to prefer an appeal to the Executive Engineer with in 20 days of the date of receipt of the bill repaired as above. Such appeals shall be in writing and accompanied by a fee of Rs. 5.00. In all such cases the decision of Executive Engineer shall be final.

(e) If, in the opinion of the Executive Engineer, the nature of appeal, made as per clause (d) above is exceptional, he may arrange a new meter to be fixed at the premises at the cost of the owner or occupier of the premises preferring the appeal and observe the readings on the same for a period not less than 60 days to arrive at the average charges and shall fix this average water charge with retrospective effect from a date from a which, in the opinion of the Executive Engineer, the change in the nature and pattern of consumption of water at the premises might have occurred. In all cases revisions made as per appeals mentioned in this clause, the decision of the Executive Engineer regarding the nature of the appeal, the date of effect of provisions and the average water charges shall be final.

(f) Notwithstanding anything contained in clauses (d) and (e) of this regulation, no revision in water charges shall be allowed in the demand already made in cases coming under clauses (b) and (c) of this regulation.

18. REPAIRS, RENEWALS OF MAIN AND STOPPAGE OF WATER SUPPLY:- (a) The Assistant Executive Engineer or any person authorized by him, may without any notice, reduce, restrict or stop the supply of water in any main for the purpose of repairs, renewals or under any exigencies, provided that when the stoppage is over an extensive area and the need for the stoppage can be foreseen, such previous intimation as is possible under the circumstances shall be given by publishing in newspapers or otherwise.

(b) The Assistant Executive Engineer or any person authorized by him, may without any notice, reduce or restrict the supply of water in any house connection under exigencies.

19. CONNECTION THROUGH CISTERNS, TANKS AND SUMPS: - Every boiler for generating steam, every water heater or other electrical appliances requiring water for its functions, every flushing cistern used for flushing toilet, urinal water closet and every pump erected for boosting water shall be supplied with water from a cistern, tank or sump and not directing from the service pipe and every such cistern, tank or sump shall be provided with a float valve and proper means of access shall be provided for inspection there of by the Assistant Executive Engineer or any person authorized by him.

20. WATER FOR DOMESTIC PURPOSES CANNOT BE USED FOR ANY OTHER PURPOSES:: - No person shall use or allow to be used, water supplied to domestic purposes for any other purposes except with the previous sanction of the Assistant Executive Engineer and only on such terms and conditions as fixed by the Assistant Executive Engineer with reference to the circumstances.

21. DISCONNECTION OF NONDOMESTIC CONNECTIONS INADEQUACY OF WATER: - The Assistant Executive Engineer or any person authorized by him may disconnect without notice from any premises, water supply given from the mains for non-domestic purposes, if due to natural calamities, water shortage or any other reasons the water supplied through the water supply system is found inadequate to meet the domestic requirements of the consumers.

In the event of such disconnection, the water supply shall be restored to the above premises as soon as normalcy in the system is restored and the disconnection and re-connection fees provided in clause (d) of regulation 14 of these regulations shall not be levied.

22. DISCONNECTION OF HOUSE CONNECTION IN CERTAIN CASES:- The Assistant Executive Engineer may disconnect the house connection given from the mains to any premises,

(a) if misuse or wastage of water is reported at the premises

(b) if the building in a premises to which a house connection is given is demolished partly or fully so as to make it uninhabitable or

(c) if on a later giving house connection to a consumer, it is established that the consumer has availed of the house connection by furnishing false details of statements to the Authority, which, in the opinion of the Assistant Executive Engineer would have prevented him from granting the house connection to the consumer at the time of application for the house connection.

23. FINE FOR VIOLATION OF THE PROVISIONS OF THESE REGULATIONS AND THE ACT: - (a) The Assistant Executive Engineer may, in addition to disconnecting the water supply, also impose a fine ranging from Rs. 50.00 to Rs. 500.00 in respect of cases falling under regulation 22 of these Regulations of section 45 of the Act, and also collect charges for the water loss as estimated by him wherever possible. The consumer shall have the right to prefer an appeal to the Executive Engineer if he has any complaints against the fine imposed or the charges of water loss estimated, within 20 days of the receipt of the notice calling upon him to pay the fine and charges of water loss. The decision of the Executive Engineer shall be final in such cases of appeal.

(b) The Assistant Executive Engineer shall impose such water charge amounting to Rs. 6.00/m' of the plinth area of the building for the construction of which water is reported to have been used unsuccessfully from a street fountain or main or from a domestic or non-domestic connection where a non working meter exists or existed during the period of the said building. The rate of Rs 6.00/m' is for the completed work of the building and in the cases where the building work is partially complete, the Assistant Executive Engineer may allow proportionate deductions for the incomplete portions of work with the approval of the Executive Engineer. The liability to pay the water charge mentioned vests with the owner or occupier of the buildings referred to above. A domestic or non-domestic connection to the above building shall be provided only if the entire charges are remitted to the Assistant Executive Engineer. The owner or occupier of the said building has a right to prefer an appeal, within 20 days of the receipt of the intimation of the charges to the Executive Engineer, in which case the decision of the Executive Engineer shall be final.

(c) The Assistant Executive Engineer may also impose a fine ranging from Rs. 50.00 to Rs. 500.00 in all cases except those mentioned in clause (a) above, from the consumers whose act constitute or have constituted violation of the provisions contained in these regulations. The consumer has right to prefer an appeal to the Executive Engineer within 20 days from the date of receipt of intimation of fine and in all such cases the decision of the Executive Engineer shall be final.

APPENDIX 'A'

PROVISIONS REGARDING ISSUE OF LICENCES TO PLUMBERS AND THEIR WORKS

1. (a) The Authority to grant licenses to plumbers shall be the Executive Engineers of the Kerala Water Authority to whom application for licenses be made.

(b) The licenses shall be in Form No. XI.

2. (a) Any person applying to the Executive Engineer for a license shall along with the application pay an examination fee of Rs. 100/-. The application shall be made in applications forms obtained from the Executive Engineer at a nominal cost of Rs. 5.00/form.

(b) A person applying for the license as per Para

(a) above shall be permit to sit for an examination provided he satisfies the following conditions:

(i) He/She is a citizen of India

(ii) He/She has completed 21 years of age

(iii) He/She holds a Diploma in Civil Engineering or an equivalent qualification as approved by the All India Council of Technical Education or a certificate in plumbing or Sanitary Engineering recognized by the Institution of Engineers or by the All India Council of Technical Education and

(iv) He/She produces a certificate to the effect that he/she has a minimum of 3 years experience under a licensed plumber and that he/she has practiced plumbing under the supervision of a licensed plumber.

(c) Notwithstanding anything contained in the above paras the Executive Engineer may grant a plumbers license to an applicant without asking him to sit for an examination provided he/she is a graduate in Civil Engineering and satisfies all the conditions except that laid down as condition (iii rd) at sub para.

(b) above he/she holds a plumbers license issued by some other license authority and which in the opinion of the Executive Engineer maintain adequate standards in the issue of certificates.

3. The Examination shall consist of one written paper and a practical test. The candidate shall be examined in accordance with the syllabus given as Annexure (I) to this Appendix. A candidate to qualify for the award of a

license should obtain separate minimum 50% marks in theory and practical tests.

4. The Authority shall, for the purpose conducting the written examination for person to qualify for the plumbers license appoint a board of examiners consisting of a Health Officer of any local authority a P.H. Engineer not below the rank of Executive Engineer of the Authority and a registered plumber of high reputation.

5. The procedure for the conduct of the examinations of the applicants are laid down in Annexure (II) to this Appendix. The applications shall be made in Form No. XII. Applications received on or before the 30th June of a Calendar Year will only be accepted for examination in that year, Examination for the applicants of a particular year will be conducted in the first week of December of the same Calendar year.

6. The written examination will have common syllabus and common question paper throughout the state. The setting up of question papers and valuation of answer papers of the written paper shall be got done centrally by the Controller of the Examination. The Controller of examination shall be an officer of the Authority nominated by the Managing Director from among officers not below the rank of Superintending Engineer.

7. The practical examinations will be conducted by the concerned Executive Engineer at the Division level based on the syllabus mentioned in Annexure (i) to this Appendix.

8. Candidates becoming eligible for the award of the license as per condition laid in para 3 of this Appendix will be intimated the matter and the license issued to them before the end of March of the succeeding year.

9. The candidate on becoming eligible for the award of the license, satisfying conditions laid in paras 2 and 3 of this Appendix should produce an agreement signed, by him in Form No. XIII on stamp paper with a security deposit of Rs. 500.00.

10. The licenses issued by the Executive Engineer shall be valid for a period of one year and shall expire on the date indicated in the license, but may renewed upon payment of Rs. 150 for further period of one year each at a time. The expired license not renewed within 15 days of the expiry of the license may be renewed upon payment of a fine of Rs. 100/- over and above the renewal fee prescribed above.

II. Notwithstanding anything contained in the above paras award of license will be subject to the relevant specifications contained in Annexure (iii) of this Appendix.

12. A list of plumbers licensed by the Executive Engineer shall be kept by the Executive Engineer in his office. This list shall be exhibited from time to time or made available or perusal of the public.

13. Every plumber shall keep a book in Form No. XIV supplied by the Authority in which he shall enter all details of works done by him in connection with any water supplying installation. Such books shall be produced before the Executive Engineer on or before 15th of every month for verification and return.

14. The plumbers shall carryout all water supply installation works (including new installation, alterations and repairs) subject to the provision contained in Annexure (III) to this Appendix and in accordance with the orders that may be issued from time to time by the Executive Engineer or any' other officer acting under his work order.

15. The plumber, selected by the owner-occupier of a house or premises for the construction of a new water supply installation or for extension or alteration or repairs to the existing water. Supply connection shall present to the Assistant Executive Engineer under whose jurisdiction the works are to be done an estimate (in duplicate) with a specification describing the work along with a dimensioned sketch plan of the proposed installation, alteration, extension or repairs as the case may be.

16. On approval by the Assistant Executive Engineer of the estimate presented under para 15 of this Appendix the plumber may collect all the materials of quality approved and prescribed by the Authority and commands works if satisfied that the owner or occupier has applied for the house connection.

17. (a) The Executive Engineer, Assistant Executive Engineer or any other officer of the Kerala Water Authority authorized in that behalf may inspect the works of plumber at any stage.

(b) If on inspection, it is found that any material used or works done is not of approved pattern or specification the plumbers shall, in accordance with the orders of the officer concerned, replace the materials with the materials of the approved pattern or reconstruct it as the case may be.

18. Any plumber requiring water to be shut off from or let on to any place in connection with his work may apply to the Assistant Executive Engineer or to the Assistant Engineer but shall on no account interfere with any street tap, cock valve for the purpose.

19. (a) The Executive Engineer may by a written order fine a licensed plumber, suspend or cancel with or without for future of security, the license of any plumber who is found quality or breaking or evading any provisions of the Regulation or specifications of the Authority or any of the foregoing provisions or any Government order relating to water supply and sewerage or who fail to comply with any reasonable order given to him by a duly authorized officer of the Authority or whose works in the opinion of the Executive Engineer is not satisfactory. Before the license is suspended or cancelled the license shall be given a notice in writing, enumerating the charges against and be entitled to a hearing, if he so desires. The license shall be given on opportunity to present testimony, oral or written before the Executive Engineer.

(b) The order of the Executive Engineer shall be final subject to the result of any appeal to the Superintending Engineer field, within 30 days of the communication of the order of the Executive Engineer to the plumber.

(c) A person whose license has been revoked shall not be permitted to re-apply for a license within 2 years from the date of revocation.

(d) The amount of fine imposed as per sub-para (a) above shall be subject to a minimum of Rs. 100/- and a maximum of Rs. 500/-.

(e) The Executive Engineer shall notify the case of revocation or suspension of license.

20. If two or more plumbers form themselves into a company of partnership, any penalty imposed under the provisions of this Appendix shall be operative against every plumber constituting such company or partnership unless the order imposing the penalty specifies otherwise.

21. Any plumber whose license has been cancelled or suspended shall return his license to the Executive Engineer within 24 hours of the communication to him of such cancellation or suspension.

22. The Executive Engineer may grant a license to a company incorporated under the Companies Act, or a partnership firm engaged in the business of plumbing provided a person or persons connected with such company or partnership firm in responsible charge or plumbing work is / are in possession of a plumbing license or licenses it will, however be the responsibility of the person or persons holding the license to inform the authorities when he / they severs / sever his / their connection with the said companies or partnership firms. The Executive Engineer

may in such cases even revoke the license of the company or the partnership firm can satisfy the Authorities that they have in the staff another person or persons in responsible charge of such plumbing work who is / are in possession of plumbers license.

ANNEXURE (I)

SYLLABUS FOR THE EXAMINATION

A. Following syllabus shall be followed for the examination for the grant of plumbers license with regard to written paper:

- | | |
|-------------------------------|---------|
| (a) Time | 3 hours |
| (b) Maximum Marks | 100 |
| (c) Section - I water supply. | |

- 1) Regulations governing supply of water, knowledge of procedure to obtain water connection in new premises.
- 2) A sound knowledge of codes of practice and specifications published by the Bureau of Indian Standards on Water Supply and Water Supply fittings.
- 3) Hydraulics - discharge through orifices, flow in open channel, flow in pipes, hydraulic gradient, design of distribution system for colonies or housing estates.
- 4) Pipes - materials, common sizes, pipe flow equations, instructions, pipe jointing, laying of pipes and selection of size.
- 5) Fixtures - specials, appurtenances etc.
- 6) Starting of mains ferrules, corporation cocks, matters etc.
- 7) Small size pumps - different types as may be required to plumbing of water to storage reservoirs, merits and demerits, selection of a type.
- 8) Storage reservoirs - underground, surface, overhead as may be needed for maintaining satisfactory supply of water within the premises, capacity, constructional features, precautions to avoid contamination of water.
- 9) Public health hazards of faulty plumbing, cross, connections, back-siphonage, etc. remedies.
- 10) Disinfection of pipes - Chemicals to be used, mode of disinfection.
- 11) Significances of routine chemical and bacteriological report on water samples.

SECTION II DRAINAGE:

- I. Regulations governing drainage of buildings.
2. A sound knowledge of codes of practice and specifications published by the Indian Standards Institution of building drainage, septic tanks and the sanitary appliances and fittings.
3. Sewer materials - kinds, merits and demerits, factors governing choice.

4. Different types of sanitary latrines.
5. Hydraulics of flow in sewers a common formulations, use of pipe follow charts, hydraulic element charts, design of small sewerage system as may be required for housing estates and colonies.
6. Manholes, drop manholes, catch pits, gully pits, grease traps, various types of traps.
7. Ventilation of sewers.
8. Sewer laying and jointing - seneward, concrete, brick.
9. Classification of house plumbing systems – two - pipes, one pipe, single stack (partially ventilated) and single stack systems, their merits and demerits.
10. Testing of traps and fixtures-hydraulic testing and smoke testing of house drainage system.
11. Maintenance of house drainage clearing and testing.
12. Septic tanks for household design, construction, disposal of effluent; design, of soil absorption system.
13. Public health hazards of faulty plumbing for drainage.

B. Practical examination -Maximum marks 100

Examination shall consist of a practical test relating to lumping operation. Field-testing may be laid out as may be considered suitable by the examiners. The candidate shall also appear for a viva vice before the examiners, which may cover all aspects of plumbing sciences as detailed in the syllabus for written paper.

ANNEXURE (ii)

**PROVISIONS REGARDING THE CONDUCT OF THE EXAMINATION FOR
ISSUE OF PLUMBING LICENCES**

1. The examination for the issue of plumbing license shall be conducted by the authority once in an year.
2. The written examination shall be conducted in the month of December of every year.
3. Only applications received in the prescribed form available from the offices of the Executive engineer of the Authority against a cost of Rs. 5/-per/application form will be considered for examination.
4. Every application should be accompanied by an application fee Rs. 100/-which is not refundable.
5. Copies of certificates for proof of age, nationality, educational; qualifications and experience and conduct and character should accompany the application forms.
6. The examination shall consist of 2 parts viz. 1. Written and 2. Practical each carrying 100 marks. To become eligible for a license an applicant should secure separate minimum of 50% marks in the theory and practical examinations.
7. Application forms from eligible candidates should reach the executive engineers under whom licenses are

sought on or before the 30th June every year. Application received there after will be considered only for the examination in the next Calendar year.

8. Hall tickets for the eligible candidates for the written examinations will be dispatched by the 1st week of November.

9. The candidates should strictly observe the instructions given on the hall ticket and produce them before the examiner on the date of examination. The hall tickets should have passport size photograph of the applicant affixed to the same duly attested by a person of reputation

10. The Executive Engineers at each Division will be the Chief Examiners at each centre.

11. The Chief Examiner will be responsible for the smooth conduct of the examination. They may appoint Examiners under them for the supervision and smooth conduct of the examination.

12. The practical examinations shall be conducted in the first week of January. The practical examination will be conducted by the Executive Engineer / Chief Examiner at the various centre as per the approved syllabus and the guidelines issued by the Controller of Examinations.

13. The results of the practical examinations should be communicated to the Controller of examinations within one week of the holding of the examination, by the Executive Engineer / Chief Examiner.

14. The results of the candidates shall be released by the first week of March of the next year of the holding of the written examination.

15. In all matters relating to the conduct of the examinations the decision of the Controller of Examinations shall be final.

ANNEXURE (iii)

CODE OF CONDUCT FOR PLUMBERS AND PROCEDURE AND SPECIFICATIONS FOR CARRYING OUT WORKS BY THEM:

I. CODE OF CONDUCT FOR PLUMBERS:

i. Plumbers licensed by the Kerala Water Authority will establish a show room easily accessible to the public. The show room, if forming part of a residential building shall have an opening to the front of the building so as to be easily accessible to the customer and inspecting officers.

ii. The show room shall have all the tools and equipment necessary for carrying out plumbing works. The tools and equipments shall be kept ready for inspection at any time by the Executive Engineer or any other officer duly authorized by him.

iii. The show room shall have stocks of pipes, specials, fitting etc., for carrying out repairs, alternations etc. of

any work of domestic plumbing nature.

iv. The name of the plumbing works, the name of the proprietor, the registration No. and date of expiry of the registration should be displayed inside the show room.

v. The name of the plumbing works and the registration No. of the plumber shall be prominently displayed in front of the show room for easy identification to the public and departmental authorities

vi. The plumbers should maintain a register of all the works undertaken by them. This register should show the name of the customer, address, date of application, estimate amount, date of payment of estimate fee and application fee with receipt Nos. date of commencement of work date of sanction of work date of completion of work, date of connection etc.

vii. The register mentioned in para (vi) above shall also contain the names of the workers or assistance engaged for a particular work and the dates on which they worked.

viii. The register shall be produced before the Executive Engineer or the Assistant Executive Engineer or any other officer duly authorized by them for verification and authentication.

ix. Plumbers are required to have good cordial relations with the customers and the departmental officers. The Assistant Executive Engineer or any other officer duly authorized by him shall allow a consumer to change the plumber provided the consumer makes a written request for the same detailing the malpractices or other misconduct of the plumber. The plumber may appeal against the same before the Executive Engineer. The decision of the Executive Engineer shall be final in all such cases.

2. PROCEDURE FOR CARRYING OUT WORKS:

i. The plumbers shall submit details dimensioned sketches along with the application for installation, alteration or repairs of house connections as stipulated in para 15 0 Appendix A. These sketches should be in triplicates and should show the plan of the house I : 100 scale with the identification of each rule. The position of the mains to which connections are to be made shall be shown in red ink up to meter point and the inside installations in blue ink : where there are alterations or repairs or extensions to existing pipe lines these should be shown in orange colour.

ii. The sketches mentioned in para (i) above should be neatly drawn on one side of the paper only. Either copies of the sketches be drawn or blue print made for additional copies.

iii. The position of the mains from which connection taken, plan of the street and the length of the each street or bye-lanes if connection pipes are proposed to be taken through bye-lanes etc. should be marked on the sketch.

iv. The sketch should be authenticated by the applicant and the plumber with spaces for verification and authentication by the departmental officers.

3. SPECIFICATIONS FOR CARRYING OUT THE WORKS:

For carrying out the work of providing new installations, repairs or alteration to existing installations for plumbing fixture inside buildings or pipe lines and other related works outside the buildings the specifications contained in IS 2065-1982 (2nd revision) shall be strictly followed.

APPENDIX-B:

GUIDELINES FOR THE SANCTION AND EDUCATION OF STREET MAIN EXTENSION THROUGH CONSUMER CONTRIBUTION:

1. Extension of street mains done through consumer contribution shall be known as Contribution SME or C-SME.
2. House connections from any C-SME shall be regulated by the same provisions existing for house connections from mains but also subject to para 18 below:
3. The beneficiaries or contributors of the C-SME shall apply to the Assistant Executive Engineer stating clearly the details of the proposed C-SME and the names and address of the persons who are: willing to contribute and share the cost and the person responsible for the work.
4. The Assistant Executive Engineer shall examine the feasibility of the C-SME applied for considering future demand also if the line is liable to be extended under C-SME or SME and if found technically feasible shall recommend the same for sanction by the Executive Engineer. The recommendation shall be supported by necessary hydraulic calculation.
5. The Executive Engineer shall scrutinize the feasibility of the proposed C-S M E and if found feasible shall cause and estimate to be prepared,
6. If the C -SME is not feasible the applications shall be rejected by the Assistant Executive Engineer or the Executive Engineer as the case may be explaining the reasons for the rejection.
7. The estimate amount prepared as per para 5 above shall include 21½ % of the estimated cost towards supervision charges but shall exclude cost of materials other than those supplied by the Authority. No centage charge shall be levied.
8. The estimate amount prepared as per para 5 above shall be remitted with the Executive Engineer immediately or within 3 calendar months from the date of issue of the letter calling upon the contributors to remit the amount. The Executive Engineer may allow a further time beyond the said 3 calendar months up to period of 2 more calendar months to remit the estimate amount if an extension of time is sought by the applicants.
9. An agreement shall be executed by the contributors in FORM No. XV (on stamp paper) agreeing to abide by the rules, regulations, specifications etc. of the Authority with regard to quality of materials, workmanship, departmental specifications and ownership and control of the C.SME.

10. The responsibility of remitting the estimate amount and executing the agreement mentioned in para 5 and 9 above and for all future correspondence notice etc. between the Authority and the contributors shall vest with the person named first in the application form from along *the* contributors and in the event of his death or withdrawal from the group of contributors, the person named 2nd and so on.

11. On receipt of the estimate amount the Executive Engineer shall accord sanction for the work in FORM No. XV A and shall intimate action to get the work executed. The Executive Engineer or the Assistant Executive Engineer or anyone authorized by him shall arrange with the contributors to procure the required materials of quality approved and prescribed by the Authority for inspection by him or anyone authorized by him to do so. Subject to approval of the quality and quantity of materials he shall arrange for the execution of the work.

12. Pipes should be of the required class and no pipes having a pressure classification of less than 5 kg/ cm: shall be used. The quality and suitability of the pipes shall be certified by the Assistant Executive Engineer. He will also ensure that the class of pipes provided will withstand the maximum static pressure in the line during hours.

13. Before charging the line the Assistant Engineer should certify that the C-SME has been laid as per departmental specifications which should be verified checked and recorded by him and the certificate submitted to Executive Engineer.

14 After charging the line the C-SME should be unconditionally surrendered to the Authority. All such C-SMEs will form part of the assets of the Authority. The Assistant Executive Engineer will maintain a register for the C-SME lines in which he will keep the proper records of all the C-SME laid. Every month details of C-SME laid should be intimated to the Executive Engineer and these details should be maintained at the Executive Engineer's of office in a register.

15. The Account shall finally be settled in cases of works executed as per para 5.8 and II above between the Executive Engineer and the first signatory second signatory or the next as the case may be based on the actual expenditure this shall be collected and if sums are due to the contributors the same shall be refunded to them.

10. The Executive Engineer shall stop the water supply in the C-SME if the sums due from the contributors as per para IS above are not deposited with him within IS days of the issue of the noticed to the contributors to remit the same.

17. Supply shall restored only when the amount due to the authority together with disconnection fee and reconnection fee are remitted with the Executive Engineer.

18. Application for house connections form any C-SME received from persons other than the contributors shall be entertained only after a period of 6 months from the commissioning of the C-SME or non receipt of a written no objection from the contributors or their nominees mentioned in para 10 above.

APPENDIX 'C'

PROVISIONS FOR SANCTIONING AND PROVIDING WATER SUPPLY TO PREMISES THROUGH HOUSE CONNECTIONS DISCHARGING FREELY INTO STORAGE RESERVOIRS

1. Application for house connections coming under the provisions of clause (g) of regulation 7 of the Regulations shall be in Form No. RA. I.
 2. The application shall be made by:
 - i. The owner of the premises, if the premises belong to an individual or
 - ii. The partners or a person from among the partners authorized by them, who have joint or several ownership of the premises or
 - iii. An officer vested or delegated with power of jurisdiction and control over the premises by an agency, firm, society, Board or any other institution or by Government to whom the premises belong or
 - iv. a member, nominated or elected from owners and authorized to conduct business on their behalf in the case of small housing societies, co-operative or group of residents.
 3. Along with the application an agreement in FORM No. XVI has to be executed by the applicant mentioned in para 2 above on stamp paper undertaking the responsibility and obligation to pay the water charges, meter hire, meter servicing charges, fines, levies etc. to the Authority as per demands made subjects to the provisions contained in the Regulations from time to time on account of the water supplied.
 4. When ownership of the premises changes, the original applicant shall inform the same to the Assistant Executive Engineer in Form No. 1 along with an application fee of Rs. 5/- and an agreement from the new owner on stamp paper undertaking the responsibility and to pay the dues to Authority as mentioned in para 3 above.
 5. When the change of ownership relate to only portions of the premises and the original applicant continues to be one of the owners the liability and obligation to pay the charges and levies mentioned in para 3 above shall continue to vest with the original applicant.
 6. Notwithstanding anything contained in the above paras submission of applications, fees, deposits, details to be furnished along with applications etc. shall be same as that provided in the regulations dealing with house connections.
 7. The provisions made in the regulations on all matters, other than those provided in this Appendix shall also apply mutates mutandis to all cases coming under the purview of this Appendix.
 8. Nothing contained in paras above shall prevent the Assistant Executive Engineer from granting a house connection, subject to feasibility, to owner or occupier of provisions of the premise if fee has a separate house-door No. and applies to the Assistant Executive Engineer for house connection as per provision contained in the regulations.
-

FORM NO. I
(Referred to at regulation 7 (f) & Para 4 Appendix 'C')
KERALA WATER AUTHORITY
Application for Transfer of Ownership

- I. Name :
- 2. Address :
- 3. House No. :
- 4. Consumer No. :
- 5. Details of previous connection :
- 6. Other particulars :

I would request that the ownership of the water connection... ..
may be transferred in the name of.....address.....
..... as per the certificate issued by the Corporation
I Municipality I Panchayat vide the reference(enclosed
herewith the Certificate in original).

Signature of applicant

OFFICE USE ONLY

The ownership of connectionis
transferred in favour of on as per
intimation of Corporation *I Municipality I Panchayat* vide..... and
entered in consumer ledger.

ASST. EXECUTIVE ENGINEER

FORM NO. II
[Referred to at regulation 8 (b)]
KERALA WATER AUTHORITY
Application for Alteration of Connection

- I. Name : _____
- 2. Address : _____
- 3. Account No. : _____
- 4. Meter No. : _____
- 5. Sub Division : _____
- 6. Name and Address of Plumber : _____
- 7. Whether up to date water charge remitted,
if so details of receipt : _____

8. Reason for alteration
.....

I hereby agree for rules and conditions of Authority for connection.

Signature of applicant

FOR OFFICE USE ONLY

1. Remarks of Water Works Inspector on feasibility of alteration of connection requested for.....
.....
.....

2. Estimate cost of work,.....
.....
.....

3. Recommendation of Asst. Engineer:
.....
.....

Asst. Engineer

4. Approval of Asst. Executive Engineer:
.....
.....

Asst. Executive Engineer

FORM NO. III

(Referred to at. clause (f) of regulation 8)

Office of Asst. Exe. Engineer
Water Works Sub Division
dt

From
The Asst. Executive Engineer

To

Sub: Attending leakages in Water Supply connections in A/c No

Sri. / Smt.

A leakage is found in the Authority's portion of the above Water Supply connection and it is to be attended to by the Authority's Staff immediately.

You are requested to remit in this Office an amount of Rs..... towards the estimated cost of the repairs or alterations, repairs or alterations, required by the Authority in connection with the above work from the date of receipt of this letter as otherwise the Water Supply Connection is liable to be cut off without further notice.

Asst: Engineer

Yours faithfully,

Asst. Exe. Engineer

Details

A. COST OF MATERIALS

- | | | |
|---------|-----|-----|
| 1. | Rs. | Ps. |
| 2. | | |
| 3. | | |
| 4. | | |

B LABOUR CHARGES

- | |
|---------|
| 1. |
| 2. |
| 3. |
| 4. |
| 5. |

C. CENTAGE

Total Rs.

FORM NO. IV

(Referred to at regulation 8 (g 2)

Office of the Asst. Exe. Engineer,
Water Works Sub Division,
Kerala Water Authority.

Date

No.

From

THE ASST. EXECUTIVE ENGINEER

To

.....
.....

sub. Attending leakages in water supply Connection in *Ale*. No..... Sri/Smt

A leakage was found in the Authority's portion of the above Water Supply Connection and it was attended to by the Authority's staff during the month of

You are requested to remit in this office an amount of (Rs. towards the labour charges and cost of materials incurred by the Authority in connection with the above work within a week from the date of receipt of this letter as otherwise the water supply connection is liable to be cut off without further notice.

Asst. Engineer

Yours faithfully,

Details

A. COST OF MATERIALS

Asst. Exc. Engineer

- 1. Rs. Ps.
- 2.
- 3.
- 4.

B. LABOUR CHARGES

- 1.
- 2.
- 3.
- 4.
- 5.

C. CENTAGE

Total Rs.

FORM NO. V
[Referred to at regulation 8 (i)]

No. Office of the Asst. Exe. Engineer,
Kerala Water Authority.
Date

From
The Asst. Executive Engineer
To

Sub: Attending leakage in Water Supply Connections in
A/c. No.....

Sri / Smt.

A leakage was found in the Authority's portion of the above Water Supply Connection and it was attended to by the Authority's staff during the month of

You are requested to remit in this office the balance amount of Rs. towards the labour charges and cost of materials incurred by the Authority in connection with the above work within a week from the date of receipt of this letter as otherwise the water supply connection is liable be cut off without further notice.

Yours faithfully,

Asst. Exe. Engineer

FORM NO. VI
(Referred to at Regulation 10 (m))
Water Supply Connection Register
Water Works Sub Division

Appd No.	Section No.	Name & Address of Applicant	Rental value of Building	Name of plumber	Plumbers Estimate	Description of Work	Estimate Amount	Application Fee	Total Amount	Details of remittance	Work order No. & Date	Signature of Officer	Remarks
----------	-------------	-----------------------------	--------------------------	-----------------	-------------------	---------------------	-----------------	-----------------	--------------	-----------------------	-----------------------	----------------------	---------

FORM VII

(Referred to at Regulation 11 (b))

Application for construction / repairs / alteration / extension
of inside installations.

1. Name :
2. Address :
3. Account No. (if any) :
4. Meter No. (if any) :
5. Sub Division. :
6. Name and Address of Plumber :
7. Receipt No of application remitted :

I hereby agree to abide by the rules, regulations and conditions of the Authority for water connection.

SIGNATURE OF THE APPLICANT

FORM NO. VII (A)
Office of the Assistant Executive Engineer
Kerala Water Authority

No.
From
 The Assistant Executive Engineer
To

Sub: Inside installation of water supply connection to By. No.
Ref: Your letter dated:

Sir,

Your request for doing the inside installation to your building through plumber
..... is approved. The approval will not be guaranteed for Water Supply connection to your
premises. You may contact the plumber for carrying out the work. All sanitary rules should be followed.

- (1) There should be Overhead tank connection to the water closet
- (2) No direct connection should be given to the lavatory.

Yours faithfully,

Asst. Executive Engineer

Copy to Asst. Engineer, section No. for information.

The approved plan is herewith enclosed for your inspection and report.

PAYMENT SCHEDULE

Month of Consumption	Amount Remitted		Date of Remittance	Receiving Author
	Rs.	Ps		
April				
May				
June				
July				
August				
September				
October				
November				
December				
January				
February				
March				
TOTAL				

Note: The amount indicated for monthly payment is only provisional. The actual amount due will be ascertained on reading the meters and necessary adjustment bill showing amount due to/from you will be sent to you once in six months.

FORM NO. IX

[Referred to at regulation 12 (d)]

KERALA WATER AUTHORITY

WATER WORKS..... SUB DIVISION SECTION:

BILL (Payable within 30 days)

Bill No.	Date:	Consumer No.
----------	-------	--------------

Name:Period of Billing From:To

House No. Consumer Class: Domestic / Non Domestic / Industrial Street No.

..... Free Allowance:KL/month.

Present ReadingKL Meter not working / Not accessible

Previous Reading..... KL Period for which average

Quantity Consumed..... KL Consumption has been reckoned

Free Allowance if anyKL From To

Chargeable Quantity..... KL KL/month

Details of amount to be remitted Rs. Ps.

	Rs.	Ps.
1. Domestic Water Charges KL @ Rs. /KL		
2. Non-Domestic Water ChargesKL @ Rs. //KL		
3. Service Charges For Months @ Rs. /Month		
4. Other Charges.....		
TOTAL		
Arrears Due From.. .. . To.. .. .		
Penalty And Fine..... .. .		
AMOUNT TO BE REMITTED		

ADJUSTMENT SCHEDULE

Period Reckoned up to	Amount Due as above		Amount Remitted		Balance Amount Due to Consumer		Balance Amount Due from Consumer	
	Rs.	Ps.	Rs.	Ps.	Rs.	Ps.	Rs.	Ps.

REMARKS: - (Strike out whichever as not applicable)

I. The excess amount of Rs. remitted by you is credited into your account and please pay your monthly amount as per the Provisional Invoice Card From..... (Month and Year) onwards.

II. Please pay the balance amount of Rs. due from you up to..... (Month and Year) in addition to your monthly amount as per the Provisional Invoice Card in (Month and Year)

Ledger Clerk

Junior Superintendent

Assistant Engineer

INSTRUCTIONS TO THE CONSUMER

1. Non payment *of* these amounts within the due date will entail penal charges and/or disconnections as per the regulations.
2. Complaints regarding the adjustments if any shall be made by the consumers concerned within ten days *of* receipt *of* the bill to the concerned Assistant Engineer.
3. No arrangement shall be proposed nor any objection preferred to the Inspector or the Meter Reader.
4. Application for nay charge of ownership along with relevant certificates from the Corporation/ Panchayat authorities shall be given to the Assistant Engineer. Water Works on whose approval alone will transfer *of* account be effected.
5. The water shall be used for the purpose for which the connection was given ie. either domestic or non-domestic application for any change in the purpose *of* usage as to non-domestic to domestic or vice versa shall be given to the Assistant Engineer Water Works on whose approval alone \\ill change be effected.
6. The consumer shall keep the meter box and the meter clean. tidy and easily accessible
7. The Meter Card and Provisional Invoice Card shall be under the safe custody *of* the consumer and shall be produced whenever demanded by the Water Works authorities. Any loss *of* Meter Card/Provisional Invoice Card shall be immediately reported to the Assistant Engineer. Water Works...../.....Section and a new card will be Issued on payment of the prescribed amount.

FORM NO. X

(Referred to at regulation 16 (a))

KERALA WATER AUTHORITY

Application for converting Domestic Connection to Non Domestic
And Vice Versa

- I. Name of Consumer :
- 2. Address :
- 3. Consumer No. :
- 4. Meter No. :
- 5. Name of Sub Division :
- 6. Name of Section :
- 7. Whether up to date water charge remitted
and if so details of receipt :
- 8. Reason for request:
-
-
-

I hereby agree to abide by the Rules and Conditions of Kerala Water Authority.

Signature of Applicant

For Office use Only

- 1. Remarks of the Water Works Inspector :
- 2. Recommendation of the Assistant Engineer :
- 3. Approval of the Assistant Executive Engineer :
- 4. Returned to the Assistant Engineer for entering the details in the Ledger
- 5. Entered in the Ledger Folio on
- 6. Initials of A.E. of the Applicant:

Intimation of the Applicant

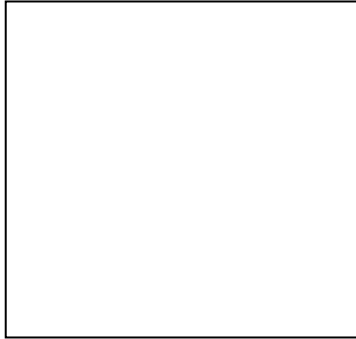
Water Supply Connection is converted to Non domestic/Domestic with effect from
with initial Meter Reading

Assistant Engineer

2

FORM NO. XI

(Referred to at para I Appendix A)
Kerala Water Authority Public Health Division
Plumber's Licence



Photograph of the licensee

(Seal)

(Signature and Designation)

3

No.....

Date.....

Shri/Messrs
.....
.....

..... is issued licence to carry out works on behalf of Kerala Water Authority as a Licensed Plumber.

No. being.....19.....

This Licence is valid up to.....
.....

(Seal)

(Signature and Designation)

4

Instruction to Plumbers

1. The licence issued is valid only for one financial year.
2. The licence is to be renewed on expiry of its validity.
3. Renewal application is to be submitted before 1 st January in the prescribed form together with the renewal fee.
4. A non-refundable fee of Rs..... is payable, for renewal after getting the intimation from the licensing Authority.

5

5. While submitting application for works. the licence No. shall invariably be referred to and the card produced when called for.

6. If the original licence card issued is lost, the fact may be intimated to the undersigned immediately.

7. Rs. 10.00 will be charged towards the issue of duplicate licence cards.

6

RENEWAL OF LICENCE

Renewed for the period from.....
.....to (vide letter
dated.)

Renewal fee of Rs.
(Rupees)
collected as per receipt No.....

dated.....

(Signature and Designation)

(Seal)

Date:

7

RENEWAL OF LICENCE

Renewed for the period from.....
.....to(vide
letter dated.....)

Renewal fee of Rs
(Rupees.....)
collected as per receipt No.....

dated

(Signature and Designation)

(Seal)

Date:

8

RENEWAL OF LICENCE

Renewed for the period from.....
..... to(vide letter
dated

Renewal fee of Rs.
(Rupees.....)
collected as per receipt No.....

Dated:

(Signature and Designation)

(Seal)

Date:

9

RENEWAL OF LICENCE

Renewed for the period from
..... to(vide letter
dated.....)

Renewal fee of Rs
(Rupees)
collected as per receipt No.

dated

(Signature and Designation)

(Seal)

Date:

10

RENEWAL OF LICENCE

Renewed for the period from.....
..... to (vide letter
dated.....)

Renewal fee of Rs
(Rupees.....)
collected as per receipt No.....
dated.....

(Signature and Designation)

(Seal)

Date:

11

RENEWAL OF LICENCE

Renewed for the period from.....
.....to..... (vide letter
dated.....)

Renewal fee of Rs
(Rupees)
collected as per receipt No.
dated:.....

(Signature and Designation)

(Seal)

Date:

12

RENEWAL OF LICENCE

Renewed for the period from.....
..... to (vide letter
dated.....)

Renewal fee of Rs.
(Rupees)
collected as per receipt No.....
dated.....

(Signature and Designation)

(Seal)

Date:

13

RENEWAL OF LICENCE

Renewed for the period from
.....to.....(vide letter
dated.....)

Renewal fee of Rs.
(Rupees)
collected as per receipt No.....
dated.....

(Signature and Designation)

(Seal)

Date:

14

**REMARKS/ENDORSEMENTS/
DISCIPLINARY ACTIONS etc.**

15

**REMARKS/ENDORSEMENTS/
DISCIPLINARY ACTIONS etc.**

16

**REMARKS/ENDORSEMENTS/
DISCIPLINARY ACTIONS etc.**

17

**REMARKS/ENDORSEMENTS/
DISCIPLINARY ACTIONS etc.**

18

**REMARKS/ENDORSEMENTS/
DISCIPLINARY ACTIONS etc.**

19

**REMARKS/ENDORSEMENTS/
DISCIPLINARY ACTIONS etc.**

20

OTHER DETAILS

21

OTHER DETAILS

OTHER DETAILS

Kerala Water Authority
FORM NO. XII
(Referred to para 5 of Appendix A)
APPLICATION FOR PLUMBERS LICENCE

Application issued on.....paid Rs.....
towards the Application Form cost vide
Application from issuing Clerk

- 1. Name of Applicant :
(In Block Letters)
- 2. Full Address :

- 3. Nationality :
- 4. Qualification :
- 5. Age and Date of Birth :

- 6. Particulars of Experience on
plumbing works :
- 7. State whether he is Licensed
Plumber of any other office :
- 8. Additional Particulars if any :

I agree to abide by the Rules and Regulations of Kerala Water Authority for issue of Plumbing License.

Station:

Date:

Signature of Applicant

OFFICE USE ONLY

- 1. Name :
- 2. Address :
- 3. Details of amount remitted :
- 4. Registration No :
- 5. Plumbers Test conducted on :
- 6. Practical Test conducted on :
- 7. Result :
- 8. Eligibility for License for plumber: :

Officer

FORM No. XIII
(Referred to at para 9 of Appendix A)
(on Stamp paper)

I, Sri (here enter name & address) selected Licensed plumber having License No..... hereby agree to abide by Rules and Regulations of Kerala Water Authority under which the plumbing License is issued.

I also agree that no violations of Rules will be made by me and plumbing works will be carried out as per the directions and instruction of officials of Authority.

I shall keep the plumbers journals up to date and the same shall be made available tot he inspecting officer as and when required.

I shall carry out the plumbing works only through the persons enlisted on the journal and in case the License is not be used, I shall surrender the License tot he Authority.

As a Security for the due and proper fulfillment of plumbers duties I herewith deposit a sum of Rs. 500/- (Rupees Five hundred only) and agree that the sum may be forfeited to the Kerala Water Authority in case I violate any of the Provisions of the Kerala Water Supply & Sewerage Act 1986) or the Rules & Regulations made there under in the discharge of my duties as a plumber.

Station:

Date:

Licensed plumber

(Form No. II Contd. from Page 36)

INTIMATION TO THE APPLICANT

Kindly pay the Estimate Fee of Rs. Cashier and submit this Application to the undersigned along with receipt.

ASST. EXECUTIVE ENGINEER

To

.....

.....

FORM No. XV
(Referred to at para 9 of Appendix B)
Stamp Paper
AGREEMENT

.....മാണ്ട്

മാസം തീയതി താഴെ പേരെഴുതി ഒപ്പിട്ടിരിക്കുന്നവർ
 ചേർത്തു കേരള വാട്ടർ അതോറിറ്റി സബ്
 ഡിവിഷൻ അസിസ്റ്റന്റ് എക്സിക്യൂട്ടീവ് എഞ്ചിനീയർ പേർക്ക് എഴുതി കൊടുക്കുന്ന സമ്മത പത്രം
 പേര് മേൽവിലാസം

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

1. അസി. എക്സിക്യൂട്ടീവ് എഞ്ചിനീയറുടെ
 ഉത്തരവിൽ പറഞ്ഞിരിക്കുന്ന നിബന്ധനകൾ ഞങ്ങൾ പൂർണ്ണമായി അംഗീകരിക്കുകയും
 സമ്മതിക്കുകയും ഈ നിബന്ധനകൾക്ക് വിധേയമായി മാത്രമേ സി.എസ്.എം.ഇ.
 ചെയ്തുതീർക്കുകയുള്ളൂ എന്ന് ഉറപ്പുതരുകയും ചെയ്യുന്നു. (അസി. എക്സി. എഞ്ചിനീയറുടെ ഉത്തരവ്
 ഇതിനോടൊപ്പം വയ്ക്കുന്നു).

2. ഞങ്ങളിൽ ഒന്നു മുതൽ
 വരെ ഒപ്പിട്ടിരിക്കുന്നവരുടെ വീട്ടിലേക്കു വേണ്ടി കുടിവെള്ളം എത്തിക്കുന്നതിനുകുന്ന പൈപ്പ് ലൈൻ
 ഞങ്ങളുടെ ചെലവിൽ ഇടുന്നതിനും ഇങ്ങനെ ഇട്ട പൈപ്പുകൾ വഴി ശുദ്ധജലവിതരണം ഉറപ്പുവരുത്തി
 കഴിയുന്ന മുറയ്ക്ക് ഈ പൈപ്പ് ലൈനിൽ മേൽ ഞങ്ങളിൽ ആർക്കും തന്നെ പ്രത്യേകമായി യാതൊരു
 അവകാശങ്ങളും ഉണ്ടായിരിക്കുന്നതല്ലെന്നു ഞങ്ങൾ സമ്മതിച്ചിരിക്കുന്നു.

3. ഈ വ്യവസ്ഥകൾ പ്രകാരം ഇടുന്ന പൈപ്പു ലൈൻ ആകമാനം കേരള വാട്ടർ അതോറിറ്റിക്ക്
 വിട്ടുതന്നതായി ഇതിനാൽ അംഗീകരിച്ചുകൊള്ളുന്നു.

എന്ന്,
 പേര് :
 ഒപ്പ് :

FORM NO. XV A
PROCEEDINGS OF THE EXECUTIVE ENGINEER
KERALA WATER AUTHORITY
(Referred to at para II Appendix B)

No.....

Dated .

Rd:- C.S.M.E.

2. Application by and others

ORDER

Sanction is accorded to lay dia
..... pipes for a length of.....
m and dia of pipe for m subject to the following conditions:

1. The dia meter of the pipes shall be same as the specified above.
2. The pipes shall be of superior quality and the same shall be capable to withstand the minimum working pressure of 6 kg / Cm²
- 3 The pipes shall be laid only after the inspection of the same by the undersigned to ensure the quality.
4. The applicants are liable to provide necessary Tees. Valves. Ferrule etc. as per the instruction of the Asst. Engineer.
5. Refilling the trenches and compacting / consolidating may be carried out only after inspection of the work by the undersigned.
6. The pipeline shall be surrendered to Authority unconditionally immediately after completing the work and obtaining approval by the undersigned.
7. Testing of the lining to withstand the water pressure as instructed by the departmental officers will have to be done.
8. The line shall be charged only after the surrender of the line by the applicant unconditionally in the specified form to the Authority.
9. The Authority thereupon shall hold full right to extend deviate or do any other work or sanction any type of connection from that line as may be deemed fit. A copy of this proceedings shall be counter signed by all applications duly witnessed and shall be attached with the surrender agreement which shall also form part of the agreement.
10. The original bill of purchase of materials duly signed by two signatures is may be submitted along with surrender to form a part of the sale.

EXECUTIVE ENGINEER

Copy to :

Copy to: The Asst. Executive Engineer, PH Division, , for information.

Copy to: The Asst. Engineer, WW Section No.

FORM NO. XVI
(Referred to at para 3 of Appendix C)
KERALA WATER AUTHORITY
(STAMP PAPER)

I, (Here enter name & address) hereby agree that the Rules and Regulation of Kerala Water Authority by which the Water Supply to the sump is sanctioned for water supply arrangements to the Housing Complex / Industrial Complex / Other Complex will be strictly adhered to.

I, agree to provide a Bulk Water Meter to the pump to measure the volume of water supplied at rate (here mention Non-Domestic or Domestic) and water charges so arrived at shall be remitted on demand by the Kerala Water Authority.

I shall intimate the change of ownership of the premises if changed and from which time onwards the new owner of the premises shall undertake the liability to remit the water charges on demand by the Kerala Water Authority under the category (domestic / Non-domestic) fixed by the Authority.

I also hereby agree to clear off the arrear if any by way of water charges meter hire servicing charges etc. due to the Authority before the transfer of the premises to any other person.

Name of the Owner of the Complex

Place:

Date:

FORM NO. RA I

(Referred to at Regulation 4)

KERALA WATER AUTHORITY

Application for Water Permanent / Casual New Connection
Sewer

(Domestic / Non Domestic / Casual/Bulk connection to Housing Complexes)

1. Name :
2. Address :
3. House No. :
4. Details of Licensed Plumber
for Internal pipe laying
a) Name :
b) Address :
c) License No. :
5. Consumer Category : DOMESTIC / NON DOMESTIC / CASUAL
6. Division :
Sub Division :
7. Other Particulars :

I hereby agree for rules and conditions of Authority for connection.

Date

Signature

INTIMATION TO THE APPLICANT

Kindly pay estimate fee of Rs.....

to the Cashier and submit this application to the undersigned along with receipt

Date:.....

Assistant

Executive

Engineer

For Office use only

1. Estimate Fee: Rs. Receipt No. dt.....

2. Estimated Deposit Rs.Receipt No. dt.....

3. Special Deposit Rs.Receipt No. dt.....

4. Final Payment Rs. Receipt No. dt.....

FORM RA: 3
(Referred to at Regulation 17 (a»

KERALA WATER AUTHORITY

Number:

APPLICATION FOR METER TESTING

1. Name. Consumer class.

2. Address

3. Meter Number.....

4. Consumer Number.....

5. Division

6. Meter Testing Fee paid Rs.

7. Reason for request

8. Other Particulars

Date:

Signature of Applicant

FOR OFFICE USE ONLY

Forwarded to AE for meter testing

Date:

ASST. EXECUTIVE ENGINEER

Reserve Meter No fixed on
with reading.....

Date:

ASST. ENGINEER

Meter tested and found working / other reasons

Date:

ASST. ENGINEER

FORM NO. RA: 4
[Referred to at regulation 9(a) & (d)]
KERALA WATER AUTHORITY

Number.....

APPLICATION FOR DISCONNECTION- Temporary/Permanent

1. Name.....
2. Address
3. Consumer No Meter No.....,
4. Consumer Class.....
5. Division
- Sub Division
6. Reasons for Request
-
7. Other Particulars
-

Date: Signature

INTIMATION TO THE APPLICANT

Kindly pay Disconnection fee of Rs. to the Cashier & submit this application to the undersigned along with receipt.

Date..... Asst. Executive Engineer

Paid vide Receipt No..... Dt.....

FOR OFFICE USE ONLY

Forward to Assistant Engineer for effecting disconnection

Date

Asst. Executive Engineer

Disconnection effected on

Date..... ,

Assistant Engineer

FORM NO. RA 5
[Referred to regulation 8 (c)]

(Original/ Duplicate) party
Triplicate -File Copy

Kerala Water Authority
Provisional Approval Notice

Name Date:

Address
.....
.....

With reference to your application number

.....
dt. for Domestic/ Non Domestic casual/ Alteration connection you are requested in remit to this office during office house or any working day, the following amount latest byalong with the copies of this notice/failing which the approval shall cancelled.

	Rs.	Ps.
1. Material Cost		
2. Labour for laying & pipes & fittings		
3. Cutting & making good		
4. Masonry work		
5. Erecting charges		
	Total	
6. Centage charges		
7.		
Total.....		
8. Length of line	mts.	
9.		
10.		
11. Supervision charges		
12. Deposit (Refundable)		
Total amount to be remitted		

Please note that this is only as estimate and that actual cost of pipe laying will be charged to you and necessary adjustments will be made on completion of work.

Yours faithfully.
Asst. Executive /Engineer.

For office use only

Receipt No.

Date: Amount Rs

FORM NO. RA 6
[Referred to at regulation 8 (d)]

Original to Assistant Engineer
Duplicate to Accounts Section
Triplicate to Licensed Plumber
Quadruplicate to Party

KERALA WATER AUTHORITY

WATER /SEWER CONNECTION WORK ORDER

No.....

Name.....

Address.....

.....House No. Ace. No.

Application No..... Dated.. ..

It is informed that application for Domestic/ Non domestic / Casual/Alteration connection is approved and the work may be executed accordingly.

Date..... ,.....

Asst Executive Engineer

Remarks

.....
.....
.....
.....

Copy to: 1. Party
 2. Licensed Plumber

FORM NO. RA 13

(Referred to at regulation 9 (c))

**Original to Assistant Engineer
Duplicate to Consumer
Triplicate to Account Section**

KERALA WATER AUTHORITY

DISCONNECTION ADVICE

Ref:

It is informed that disconnection of water supply may be effected to the consumer.

Name:

Address

.....

Consumer No.

For the following reasons:

.....

.....

.....

Date

Asst. Executive Engineer

Approval of local body
(wherever applicable)

Date:

Signature and Seal of local body

KERALA WATER AUTHORITY

THIRUVANANTHAPURAM-695 033

REVOLVING FUND

(Water Connection to Low Income Households)

RULES, 1992



G.O.M.S.NO. 58/92/LAD

Dated, 25-2-1992

GOVERNMENT OF KERALA

Abstract

I.D.A assisted Kerala Water Supply and Sanitation Project Establishment of a Revolving fund to provide loans in order to assist low-income households in the project areas to meet their costs for completion of house connections for water supply -Rules governing the operation of the Fund- Approved-Orders issued.

LOCAL ADMINISTRATION (F) DEPARTMENT

G.O.MS. No. 58/92/LAD
1992

Dated, Thiruvananthapuram, 25-2-

Read: I. Letter No. KWNFM/PHP Cell/PMU/AEI/35289/91 dated 14-3-1991 from the Managing Director, Kerala Water Authority

2. Letter No. RAO/KWN91-92/4 dated 6-12-1991 from the Accountant General (Audit I), Kerala., Thiruvananthapuram.

ORDER

As per part F in Schedule 2 of the Development Credit Agreement dated 24-9-1985 executed between the international Development Association and the Government of India in connection with the financial assistance for the Kerala Water Supply and Sanitation Project, the Kerala Water Authority has to establish a revolving fund to provide loans to the low income householders in the project area, who satisfy the eligibility criteria, in order to assist them to meet the costs for completion of house connection for water supply.

2. Government are pleased to approve the Rules appended to this order to be called the Revolving Fund (Water Connection to low-income Households) Rules (1992, to govern the establishment of the said fund and to regulate its operation.

By Order of the Governor,

BABU JACOB

Secretary to Government.

To
The Managing Director of Kerala Water Authority.
The Accountant General (A&E)/ (Audit), Kerala, Thiruvananthapuram.
This issues with the concurrence of the Finance Department the Resident Audit officer, Kerala Water Authority, Thiruvananthapuram
The Finance Department, vide U.D. No. 22858/PU.Cl/91IFin dated 25-4-91

Copy to: The General Admn. (SC) Department-vide proceedings dated 19-2-92 of the Council of Ministers on
Item No. 412

The Private Secretary to Chief Minister
The Private Secretary to Minister for irrigation & Cultural Affairs.

Forwarded / By Order

(Sd/-)

Section officer

Stock files

APPENDIX

**THE REVOLVING FUND WATER CONNECTION TO LOW
(INCOME HOUSEHOLDS) RULES, 1992**

1. PRELIMINARY

(i) These Rules may be called Revolving Fund (Water connection to low-income House Holds) Rules 1992.

(ii) They shall come into force with immediately effect.

2. ESTABLISHMENT AND OPERATION OF THE IREVOLVING FUND

(i) The Revolving Fund is established to provide loan assistance to low income houses holds for arranging all pipe work and plumbing beyond the property line.

(ii) The Revolving Fund shall be operated by the Kerala Water Authority.

(iii) The State Government will not contribute any portion of the corpus of the Fund either as loan or subsidy at any stage of operation of the Fund.

(iv) The Kerala Water Authority shall maintain a Revolving Fund (Water Connection to Low income House Holds) Account and a Revolving Fund investment account in their books of accounts for the purpose of accounting all financial all transactions under this loan assistance scheme.

(v) Based on the estimate loan. that may be sanctioned each year as loan assistance under the Revolving Fund Scheme, the Kerala Water Authority shall make necessary provisions in their Annual Budget Estimates for World Bank Assisted Schemes.

(vi) The Kerala Water Authority shall maintain a separate Treasury Savings Bank Account for the operation of the Fund. All receipts and disbursement shall be credited. to and paid from the account.

3. ELIGIBILITY CRITERIA FOR SANCTION OF LOAN

(i) The loans may be made available to applicants whose income does not exceed Rs. 780/ (Rupees seven hundred and eighty only) per month.

(i) The loan amount shall be the rough cost estimate for serving pipe subject to a maximum of Rs. 500/- Per house connection.

4. RATE OF INTEREST AND TERMS OF REPAYMENT

(i) The loan amount shall carry an interest of 8.75% per annum for the loans outstanding.

(ii) The repayment of the loan shall be effected in a period of 10 years equal monthly installments including interest along with payment of water charges.

(iii) Delay in repayment and / or non-payment of loan and/or interest shall be treated as nonpayment of water charges and all actions envisaged (Dr non-payment of water charges shall be taken by Kerala Water Authority.

5. PROCEDURE FOR SECTIONING OF LOANS

(i) Any person who desires to avail the loan assistance shall give an application to the concerned Water Supply Division of the Kerala Water Authority.

(ii) The Executive Engineer of the Division shall scrutinizes the application and if satisfied with the eligibility criteria shall sanction the loan after applicant execution agreement ensuring prompt repayment of the loan amount. The decision of Kerala Water Authority shall be final in accepting or rejecting any loan applied for.

(iii) The Executive Engineer, before releasing the loan will intimate the amount required for disbursements to the head Office of the Kerala Water Authority and get specific funds allotted for the said payment.

6. BOOKS OF ACCOUNTS REGISTERS ETC

The Kerala Water Authority shall cause to maintain such books on accounts and registers for recording the transactions relating to the disbursement loan amounts, receipt of repayment of monthly installment of loan, interest there on and to monitor timely repayments.

KERALA WATER AUTHORITY

THIRUVANANTHAPURAM- 696 933



G.O. Rt. No. 2430/92/LAD

Dated: 27/4/92

GOVERNMENT OF KERALA

Abstract

Kerala Water Supply and Sewerage Act, 1986-the Kerala Water Authority (Authentication of Orders, Assurance of property and Execution of Contracts) Regulations, 1992 proposed to be issued under subsection (2) of section 65-previous approval of Government under sub-section (I) of section 65-Conveyed' orders issued.

LOCAL ADMINISTRATION (F) DEPARTMENT

GO (Rt.) No. 2430/92/LAD

Dated, Thiruvananthapuram, 27-4-1992

Read: - Letter No. KWNHO/E 1/20433/90 dated 8-4-1991 from the Managing Director. Kerala Water Authority

ORDER

Under sub-section (I) of section 65 of the Kerala Water Supply and Sewerage Act. 1986 (14 of 1986) Government are pleased to convey its previous approval to the Kerala Water Authority for the Kerala Water Authority (Authentication of Orders, Assurance of property and Execution of Contracts) Regulations. 1992 proposed to be issued under clause (d) of sub-section (2) of section 65 of the said Act. as per the draft appended to this order.

By order of the Governor.
K.G. BALACHANDRAN
Under Secretary to Government.

To

The Managing Director, Kerala Water Authority, Thiruvananthapuram

KERALA WATER AUTHORITY

(An autonomous authority established under the Kerala Water Supply and Sewerage Act, 1986 (14 of 1986)

No.

Thiruvananthapuram,
Dated: 4-5-92

In exercise of the powers conferred by sub-section (I) and clause (d) of sub-section (2) of section 65 of the Kerala Water Supply and sewerage Act, . 1986 (14 of 1986) read with sub-section (I) of section 10 and section 21 thereof and with the previous approval of Government as required by subsection (I) of section 65 of the said Act, conveyed in G.O. Rt No. 2430/92/LAD dated 27/4/92 the Kerala Water Authority hereby makes the following regulations, namely.

REGULATIONS

1. SHORT TITLE AND COMMENCEMENT:- (1) These regulations may be called the Kerala Water Authority (Authentication of Orders, assurance of Property and Execution of contracts) Regulations, 1992.

(2) They shall come into force at once.

2. DEFINITIONS:- - in these regulations, unless the context otherwise requires

(i)'Act' means the Kerala Water Supply and Sewerage act, 1986 (14 of 1986):

(ii) Assistant Executive Engineer means the Assistant Executive Engineer of the Authority having charge of the sub-Division

(iii) 'Authority means the Kerala Water Authority constituted under section 3 of the Act; 'Chief Engineer' means the concerned Chief Engineer of the Authority.

(v) Deputy Chief Engineer' means the concerned Deputy Chief Engineer in charge of the Region concerned of the Authority;

(vi) 'Executive Engineer' means the Executive Engineer of the Authority having charge of the Division:

(vii) 'Managing Director' means the managing Director of the Authority.

3. AUTHENTICATION OF ORDER:- (1) All orders issued on the basis of the decisions of the Authority shall be issued in the name of the Managing Director and such orders shall be authenticated by his signature

(2) All statutory orders other than those mentioned in sub-regulation.

(1) Above shall be issued in the name of the Head of Office of any other officer who has been specifically delegated with such power under these Regulations and shall be authenticated by the signature of the Head of office or such other officer as the case may be.

4. ASSURANCE OF PROPERTY:- (1) Every contract for assurance of property on behalf of the Authority shall be executed by the Executive Engineer in charge of the Division, under whose jurisdiction the property is situated.

(2) A contract under sub-regulation (1) shall be executed by the Executive Engineer only if the Authority decides accordingly and a formal order has been passed by the Managing Director on the basis of the decision of the Authority.

5. EXECUTION OF CONTRACTS FOR WORKS AND PURCHASE OF MATERIALS. STATIONARY ARTICLES. FURNITURE ETC.

(1) All agreements in respect of contracts for works and supply of materials shall be executed by the officers as per provisions hereinafter, contained, namely:

(i) Chief Engineers and Deputy Chief Engineers in respect of contracts without any monetary limit.

(ii) Executive Engineer and Assistant Executive Engineers shall have power to execute agreements in respect of contracts within their monitory limit to accord technical sanction.

(2) All officers who have, power to purchase stationary articles, furniture etc. may execute agreements in respect of contracts for supply of the same within their monitory limit of purchase.

(3) All agreements shall be executed for and on behalf of the Authority and the forms prescribed under the Stores purchase Manual, the P.W.D. Code or the K.F.C., as the case may be, shall mutates mutandis apply to the execution of contracts under this regulation.

AGREEMENTS FOR ADVANCES SANCTIONED:- (1) The Deputy Chief engineers are authorized to execute agreements on the following- matters:

(i) Agreements in respect of advances sanctioned under the schemes for the grant of advances for House Construction or Motor Conveyance in the case of all employees of the Authority.

(ii) Reassignment of insurance policies offered as collateral security by the employees of the Authority for house construction advance;

(iii) Release deeds in respect of properties mortgaged to the Authority by its employees as security for House Construction Advance availed of by them.

2. The agreement forms prescribed for house construction and Motor conveyance advances under the Kerala Financial Code shall mutates mutandis apply to the execution of agreement under these regulation.

CONTRACT FOR RUNNING PRIVATE CANTEENS SALE OF USUFRUCTS ETC:-. The Assistant Executive Engineers are authorized to execute agreements on the following matters:

(i) Agreements with the successful bidders or tender, as the case may be, for the fulfillment of contract for running private canteens within the premises of the offices of the Authority's institutions.

(ii) Agreements with the successful bidders in public auctions conducted by the authority provided that auctions are confirmed by the competent authority, for the sale of usufructs of the property of the Authority.

8. AGREEMENT IN RESPECT OF CONTRACT APPOINTMENTS:- Secretary of the Authority is authorized to execute agreements with the appointees in respect of contract appointments, approved by the authority, to any of the posts in the Authority.

Provided that the agreements form prescribed under Kerala service Rules for contract appointments shall mutates mutandis apply for execution of agreements under these regulation.

9. AGREEMENTS AND LEASE DEEDS IN RESPECT OF PRIVATE BUILDINGS: Executive Engineers are authorized to execute agreements or lease deeds in respect of private buildings taken on rent for which rent has been fixed by the competent authority, for providing accommodation to any of the offices of the Authority or for providing quarters to the employees of the Authority.

10. AGREEMENTS IN RESPECT OF ALLOTMENT OF QUARTERS:- The Assistant Engineer in charge of the residential quarters of the authority shall be competent to execute agreements on behalf of the Authority with the employees on allotment of quarters of them.

11. AGREEMENTS IN RESPECT OF ANY OTHER CONTRACT:- All agreements not governed by the above regulations shall be executed by such officer as may be directed by the Authority.



KERALA GAZETTE

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EXTRA ORDINARY

അസാധാരണം

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

Vol. XL

Thiruvananthapuram, Friday

23rd June 1995

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KERALA WATER AUTHORITY

G.O. (P) No. 94/95/LAD

19th June 1995

S.R.O. No. 804/95.- In exercise of the powers conferred by clause (c) of sub-section (2) of section 65 read with sub-section (1) thereof the Kerala Water Supply and Sewerage Act, 1986 (14 of 1986) and with the previous approval of Government as required by sub-section (1) of the said section conveyed in G.O.(p) No. 94/95/LAD, dated 19-6-1995 the Kerala Water Authority hereby makes the following regulations, namely:

REGULATIONS

1. *Short title, extend and commencement.* - (1) These regulations may be called the Kerala Water Authority (Management and allotment of Quarters and Building) Regulations, 1995.

(2) They shall be applicable to all Quarters, Dormitories, Inspection Bungalows and Camp shed under the control of the Kerala Water Authority.

(3) They shall come into force at once.

2. *Definitions*- In these regulations unless the context otherwise requires,

(a) 'Act' means the Kerala Water Supply and Sewerage Act, 1986 (14 of 1986).

(b) 'allottee' in the case of Quarters means an employee to whom quarters have been allotted by the Authority but not occupied and in the case of Buildings means an employee or any other person to whom a room has been allotted but not occupied:

(c) Applicant in the case of Quarters means an employee of the Authority who is eligible for allotment of quarters and who submits an application for allotment of quarters and in the case of Building means an employee of any other person who applies for allotment of room in a Building;

(d) 'Assistant Engineer' means the Assistant Engineer in charge of a section of the Authority having jurisdiction of the area where the quarters or the Buildings are situated;

(e) "Assistant Executive Engineer' means the Assistant Executive Engineer in charge of a Subdivision of the Authority having jurisdiction over the area where the quarters or the Buildings are situated:

(f) 'Buildings' mean a Dormitory, Inspection Bungalow or camp shed constructed, leased or acquired by the Authority for being let out to the employees of the Authority or to the public on payment of daily rent;

(g) 'Controlling Authority' means the Managing Director of the Authority or any other Authority subordinate to him who is so authorized by the Authority;

(h) 'Day' means a whole day of twenty-four hours calculated from the hour of arrival of the occupant of the Buildings;

(i) 'Executive Engineer' means the Executive Engineer in charge of division of the Authority having jurisdiction over the area where the quarters or the Buildings are situated or his subordinate officials who have been empowered to discharge his duties;

(j) 'Family' means the father, mother, wife/husband/children of the employee and includes the stepchildren residing with him;

(k) 'GOVERNMENT' MEANS the Government of Kerala;

(l) 'occupant means an allottee who takes position of quarters or room in a Building duly allotted to him after completing all formalities required by these Regulations;

(m) 'officer-in-charge' means a steward, a caretaker or a watchman, as the case may be, who is authorized to be in charge of the Buildings;

(n) 'pay' means the pay as defined in item (25) of rule 12 of the Kerala Service Rules;

(o) 'quarters' means building constructed, based or acquired by the Authority for being let out to the employees for their residence on payment of rent;

(p) 'rent' means the monthly rent payable by the occupants for the quarters or the daily rent payable by the occupants for rooms in the building;

(q) 'Reserving Authority' means Executive Engineer having jurisdiction over the area or any other officer so empowered by an order of the Managing Director.

QUARTERS

3. *Conditions for allotment of quarters.* - Quarters may be allotted to the employees of the Authority who satisfy the following conditions, namely:

(I) Quarters shall be allotted only to those employees who do not have residential buildings with in their Headquarters, Cities or Towns or with in a radius of 15 (fifteen) Kilometers from their offices, either in their own

names or in the names of their wife/husbands or in the name of their unmarried sons or daughters whether inherited or purchased or obtained otherwise, including that under any hire purchase scheme~

(2) Non- availability of own accommodation facilities shall be clearly and specifically stated in the relevant column in the application for allotment of quarters. In case it is subsequently detected that the statement in the application form in this regard is not true to facts, the allottee shall be liable to pay from the date of occupation of the quarters, penal rent at three times the rate of standard rent fixed for the quarters and also to eviction from the quarters forthwith and in addition' the allottee shall also be liable for disciplinary action;

(3) In case any allottee or occupant of quarters subsequently acquires or obtains any residential building in any manner the fact shall be forth with intimated by the allottee/occupant to the Executive Engineer concerned. On such intimation the allotment shall stand cancelled. The Occupant shall without fail vacate the quarters within one month from the date on which he/she acquires or obtains residential buildings;

(4) Failure to give timely intimation as required in clause (3) shall make the allottee/occupant liable to pay penal rent, from the date of acquiring or obtaining such residential buildings till the date of vacating the quarters, at three times the rate of standard rent fixed for the quarters in addition to the other penalties including disciplinary action;

(5) Unmarried employees are not eligible for quarters.

Note:- Married employees whose wife/husband is no more or is legally separated, but having depended child/ children are eligible to occupy quarters;

(6) Employees who have been evicted from the quarters for violation of the provisions of these regulations or on other grounds are not eligible for allotment on a subsequent application;

(7) Persons borne or daily wages/work charged/Contingent establishment are not eligible for quarters;

(8) An employee whose wife/husband has already been allotted quarters elsewhere is not eligible for further allotment and occupation of quarters.

4. *Type of quarters are eligible for.* - For the purpose of allotment, the quarters are classified into various types as given in Appendix I.

5. *Allotment of quarters.* - (1) All quarters except the quarters meant for the Executive Engineers, shall be allotted by the Executive Engineer in charge of the quarters. Sanction from the superintending Engineer concerned shall be obtained for occupation of the quarters meant for Executive Engineers.

(2) The application for allotment of quarters shall be made in the form in Appendix II to the Executive Engineer through the head of office who shall verify the correctness of the information furnished in the application and countersign it and forward it to the Executive Engineer, as early as possible. If the applicant himself is the head of office he may forward the application to his immediate superior officer who shall forward it to the Executive Engineer.

(3) The Executive Engineer shall scrutinize the applications received by him. Defective applications. if ~y, shall be rejected and the applicants informed accordingly, forthwith. If any application is found defective the applicant shall be given an opportunity to rectify it with in seven days and if he complies with the directions, it should be considered as valid application. All the valid applications shall be registered in a register of applications. If more than one applications are received for specific type of quarters on the same day, priority shall be given to the applicant who has been working at the place for longer period and even that being equal in more than one case, to the applicant who is elder.

(4) Separate registers or separate folios in a single book shall be maintained for each type of quarters. A separate register shall be maintained for registering the applications which have priority in allotment and such applications shall be registered in both the registers simultaneously.

(5) An applicant or occupant who, due to promotion or otherwise becomes eligible for a higher type of quarters may submit a fresh application for that type of quarters and shall be eligible for allotment of the type of quarters in the normal course according to the seniority in that group. In the case of such an applicant, he shall have claim to get the original type of quarters applied for, when his turn comes in the normal course. In the case of an occupant, he shall be allowed to continue to occupy that quarters till he is allotted a higher type of quarters.

(6) Quarters shall be allotted as soon as it falls vacant. In no case shall the allotment of a quarters be delayed for more than a week of its falling vacant.

(7) The quarters shall be allotted strictly in accordance with the priority of applications in the respective group i.e., according to the priority of applications from the respective grades of officers for the type of quarters they are eligible for in case a deviation from this provision is found absolutely indispensable to meet any extraordinary or exceptional circumstance which might justifiably warrant such a deviation, the Executive Engineer shall address the Authority pointing out the special circumstances of the case and shall obtain its prior orders in the matter.

(8) The allotment orders shall be issued to the applicant through the head of office concerned and dated acknowledgement obtained. The Executive Engineer and the head of office shall see that there is no delay in dispatching the allotment order to the concerned employee. The liability on the part of the allottee for payment of rent for the quarters commences after 7 days from the date of receipt of allotment order or from the date of occupation, whichever is earlier. If by any chance the allottee does not require the quarters allotted to him, he shall intimate the fact to the allotting authority within three days from the date of receipt of allotment order. If such intimation is delayed, the allottee shall be liable to pay the rent of the quarters up to the date on which such intimation is received by the Executive Engineer subject to a minimum of one month's rent.

Note:- An applicant shall intimate the Executive Engineer in writing, if his application is to be cancelled due to his transfer to another station or on promotion to a cadre making him not eligible for the quarters or any other circumstances making him not in need of the quarters. All such intimations shall be routed through the head of office with copy direct to the Executive Engineer

(9) An employee to whom the quarters is allotted shall occupy the same within 10 days of the date of receipt of the allotment order failing which the allotment shall be cancelled and the quarters allotted to the next applicant without intimation to the original allottee. In that case the original allottee shall be liable to pay rent for a minimum period of one month.

(10) Applicant who is on leave/under suspension/on deputation to services other than those under the State Government/on deputation for training at the time of issue of allotment orders shall be permitted to prolong the actual occupation of the quarters for the period of one year or till they rejoin duty whichever is earlier, if they so

request in writing to the Executive Engineer. The advance rent payable shall be remitted within the time fixed and their liability to pay the rent of the quarters shall commence one week after the receipt of allotment order.

(II) In case, where officers of the grade prescribed for a particular type of quarters are not available or where they do not require accommodation in quarters provided by the Authority, the fact being intimated to the allotting authority in writing, then such quarters may be allotted to other officers of a higher or lower grade, if any, who apply for such allotment, until an officer of the particular grade eligible for the particular type of quarters applies for allotment of that type of quarter. In the event of receiving such application, the allotting authority shall give notice to then occupant of the quarters to vacate the quarters within one month of the receipt of such notice and the occupant shall vacate the quarters within the timed limit, without raising any objection and the quarters shall then be allotted to such applicant or applicants on the basis of priority of applications, such applicant happen to be one who on any previous occasion did not want accommodation in the quarters and intimated the fact in writing to the allotting authority his application shall not be entertained and no re-allotment of quarters shall be made in his favour. If a lower type of quarters is allotted to a higher grade officer, the rent to be realised shall be 7.5 % of the maximum of the scale of pay of the officer who is eligible for the lower type of quarters or 7.5% of the pay of the officer, whichever as lower. If a higher type of quarters is allotted to a lower grade officer, the rent to be realised shall be 7.5% of the pay of the officer from time to time or standard rent whichever is higher.

(12) If an occupant due to reversion or other reasons becomes ineligible for the type of quarters allotted to him, but only to any of the lower type of the quarters, he may submit a fresh application for the type of quarters for which he is eligible. He shall be permitted to continue to occupy the quarters, provided that he is willing to pay standard rent or 7.5% of the pay calculated at the rate of pay he was drawing immediately before the reversion whichever is higher. If he is not willing to this, he shall immediately vacate the quarters and wait for his turn for allotment of the quarters to which he is eligible for in the normal course.

6. *Maintenance of register of allottees.* - The Executive Engineer in charge of the building shall maintain a register of the allottees with details of the date of occupation, the date on which the building is vacated, rent collected, list of equipments, fittings etc.

7. *Priority for allotment.*- Priority for allotment of quarters shall be available to the following category of employees:

(i) Employees who are wives of Jawans serving in border areas or who were killed in action or reported missing. (To be certified by the proper military authority);

(ii) Officers who are physically handicapped. (To be certified by a Medical Officer not below the rank of an Assistant Surgeon! Assistant Professor belonging to the particular specialty):

(iii) Ten percent of the quarters inclusive of special priorities mentioned in this regulation shall be reserved for allotment to members belonging to the Scheduled Castes and the Scheduled Tribes and a ratio. of I: I shall be maintained between applicants belonging to the Scheduled Castes and the Scheduled Tribes:

(iv) Employees of the Authority who have entered into inter caste marriage (This should be certified by a Revenue Officer) not below the rank of a Tahasildar or by Misravivah Sangham):

(v) Ex-serviceman (To be proved by certificate from competent authority)

Note:- Priority for classes (i), (ii), (iii), (iv) and (v) shall be I: I with other non priority applicants.

8. *Execution of agreements.*- (1) An agreement in the form Appendix III shall be executed by the allottees of the quarters before the quarters are actually occupied by them.

(2) The agreement to be executed shall be on stamp paper. The Assistant Engineer. in- charge of the quarters shall be competent to execute the agreement on behalf of the Authority and these agreements shall be recorded in his office. duly numbered and entered in a separate register of agreements.

Note.- If the Assistant Engineer himself is the allottee the agreement on behalf of the authority shall be executed by the Assistant Executive Engineer in-charge of the quarters.

(3) After all the requirements of these regulations for allotment of quarters are fulfilled by the allottee the key of the quarters shall be handed over to the allottee by the Assistant Engineer concerned.

9. *Payment of electricity and water charges.*- (I) Electric current charges and water charges \\ere such amenities are available. shall be payable by the occupants direct to the Kerala State Electricity Board and the Kerala Water Authority respectively or other bodies maintaining such system. Other taxes such as property tax and building tax shall be paid by the Assistant Executive Engineer in charge of the quarters

(2) An allottee shall deposit one month's rent payable by him her under sub-regulation (I) of regulation (12) of these regulation before the occupation of the quarters. This amount shall be returned to him/her after deducting the dues to the Authority. if any, and on production of non-liability certificate from the Assistant Executive Engineer concerned when he/she vacates the quarters.

Note. - The meter reading as on the date of occupation will be noted, and the occupant shall be responsible for payment towards further consumption charges. If, in the first bill received any charges pertaining for the period of occupancy of the previous occupant is seen included the Assistant Executive Engineer concerned shall collect the proportionate amount due nom the present occupant and settle the bill, meeting the difference from Authority's funds. The amount so advanced shall be recovered from the previous occupant.

10. *Furniture and other required materials.*- (1) The occupants shall provide their own furniture, other required materials and electric bulbs.

Note. - Where any item of furniture is provided by the Authority, rent for the same as fixed by the Authority, shall be payable by the occupant in addition to the rent of the quarters. In such cases no option shall- be available to the occupant for non payment of additional rent on the plea that such furniture is no used/requires by the occupant.

(2) In inventory of articles available in the quarters shall be prepared' in duplicate by the Assistant Engineer concerned and signed by the occupant and the Assistant Engineer as soon as the allottee occupies the quarters. The original of the inventory shall be kept by the Assistant Engineer and the duplicate by the occupant. The occupant shall be responsible for all articles included in the inventory until they are handed over to the Assistant Engineer at the time of vacating the quarters and an acknowledgement obtained for the same.

Not.:- If any article are loosed or damaged, while in the custody of the occupant, the cost there of shall be recovered from the occupant, as if it is arrears of rent. The cost of articles shall be fixed by the Assistant Engineer, at book or market value plus 10 percentage.

11. *Liability to make good the damages.* - The occupant shall keep the quarters and premises neat and tidy and shall be liable to make good any damages to the building and its installations caused during his/her occupancy other than by normal wear and tear. Damages caused due to carelessness or in advertents of the occupant shall be repaired departmentally and cost recovered from the occupant, as if it is arrears of rent.

12. *Rent payable.*- (1) Rent payable by the occupant of the quarters shall be 7.5% of his/her monthly emoluments or the standard rent whichever is lower or the amount fixed in accordance with the provision in force from time to time~

(2) If both the husband and wife are employees of the Authority and are residing in the quarters, the allottee shall file an affidavit to the effect that both the husband and wife are employees of the Authority and that they are living together. In such cases the rent payable shall be calculated on the basis of the emoluments of the person drawing higher pay and allowance. However the rent shall be payable by the person in whose name the quarters are allotted. The allottee in such cases shall produce before the Executive Engineer the pay/income certificate of both the husband and wife. He/she shall intimate to the Executive Engineer concerned the change in the rate of pay of himself/herself as well as his wife/her husband. Failure to give timely intimation shall make the allottee liable to pay penal rent from the date change in pay till the date of intimation, at three times the normal rate or rent. Both the occupants shall be held jointly and several liable for payment of rent and other requirements of these regulations.

(3) House rent allowance shall be denied only to the allottee of the quarters, whether it is husband or the wife, as the case may be.

(4) The standard rent shall be fixed at 8% (eight per cent) of the capital costs of the quarters.

Explanation.- For calculating the standard rent for the purpose of these regulations, capital cost of the building shall be arrived at based on the rules followed in Public Works Department from time to time.

(5) Payment of rent or arrears thereof shall be made by short travel in the salary bills of officers to whom quarters are allotted.

(6) In the case of occupants who proceed on leave or are placed under suspension or are on deputation for training or higher studies, the rent payable shall be 7.5% of complete month's pay and allowances drawn by him immediately before he proceeds on leave or on deputation for training or higher studies or was placed under suspension, or standard rent, whichever is lower, and the amount shall be realized from the leave salary or subsistence allowance or deputation pay as the case may be.

13. *Vacation of quarters on transfer or retirement:* - (I) An employee occupying the quarters when transferred from the station shall vacate the quarters within a period of one month from the date, of handing over charge of transfer. The Allotting Authority shall consider requests for grant of extension of time for occupation of the quarters on merits and may grant extension for a period not exceeding six months in all or, till the end of the academic year (30th of April), whichever is earlier on payment of rent at usual rates.

(2) The occupant shall be evicted on the expiry of the extended period. If the officer is retransferred to the station within the permissible period he/she shall be allowed to continue without any fresh application.

Note. - This provision shall not apply, if the quarters are occupied by husband and wife who are both

employees of the Authority and if only one of them is transferred from the station. If the quarters are allotted in the name of the person transferred it shall be re-allotted in the name of the other person and rent recovery shall be effected based on the emoluments of the occupant in such cases. The formalities regarding registration of application and allotment as detailed in regulation 5 shall not be applicable in such cases of re-allotment.

(3) Employees of the Authority occupying the quarters who retire from service shall vacate the quarters on the date of retirement. If they wish to continue occupation on account of unavoidable circumstances, they shall apply to the allotting authority sufficiently early and in any case before fourteen days prior to the date of retirement. The allotting authority may consider the request for grant of extension for a period not exceeding six months in all or till the end of the academic year (30th April) whichever is earlier. No further extension shall on any score be allowed. Action shall be taken for eviction of the occupants after the extended period. If the request of the employee for continued occupation is granted he/she shall pay the standard rent in advance before 5th of every month and also give an undertaking in writing to the allotting authority agreeing that the dues to the Authority, if any, shall be recovered from his/her. Pensionary benefits, increase he/she fails to pay the dues. If the occupant continues occupation of the quarters unauthorizedly after the date of retirement, action shall be taken to evict him/her.

(4) Where occupancy terminates due to the retirement or otherwise the officer's last pay shall be disbursed only on receipt of the certificate to the Executive Engineer concerned that no rent is due from the officer. Receipt of this certificate shall be a condition precedent for the issue of non-liability certificate to or on behalf of the employee and the final settlement of his/her retirement benefits or payment of gratuity/pension to the family.

(5) In case an officer goes on long leave for more than six months previous sanction of the Authority shall be obtained for the continued occupation of the quarters. In such cases, rent shall be calculated and realized at the rate prescribed in regulation 12. For the purpose of this regulation, the amount of pay drawn by the officer immediately before the commencement of the leave shall be the basis for determining the amount of rent to be realized from the officer.

(6) In the event of the death of the occupant the maximum period of continued occupation by the husband or wife who is not an employee of the Authority, or very near relative, is fixed as six months in all or till the end of the academic year, whichever is earlier from the date of death of the occupant. In such cases, rent shall be realized based on the last pay drawn by the occupant of the quarters,

Note: - The term 'very near relative' means the mother, father, daughter/daughters and son/sons who were wholly dependant on the deceased allottee at the time of his death.

(7) The occupants of the quarters who proceed on deputation for training or higher studies for a period of more than one year shall be required to vacate the quarters allotted to them within one month from the date of commencement of such deputation. Such employees may on their return, get their applications re-registered for fresh allotment of residential quarters, if they so desire. In such cases priority shall be reckoned only from the date of receipt of the fresh application. Employees who apply for allotment of quarters before proceeding on such deputation but not allotted with quarters in their turn at the time of proceeding on such deputation, will be allotted quarters on their return, based on the priority originally assigned to them.

(8) Any unauthorized occupant shall be evicted forthwith. For the period of unauthorized occupation, penal rent shall be levied at 3 times, the normal rate.

14. *Advances information for vacating the quarters.*- (1) Wherever possible, the occupant shall give advance intimation to the Executive Engineer concerned about vacating of quarters. Normally this period shall be 30 days in advance of the proposed date of vacating. In any case, a minimum period of 7 days shall be insisted. If any occupant surrenders the key without any advance notice, he shall be liable to pay rent, for another 7 days also. The notice of vacating the quarters shall be sent simultaneously to the Executive Engineer and the Assistant Engineer concerned, specifying the date on which the quarters are proposed to be vacated.

(2) The Assistant Engineer concerned shall arrange to verify the condition of the quarters and other amenities provided therein jointly with the occupant, with reference to the list prepared at the time of occupation. Proper charge papers shall be prepared in duplicate and signed by the occupant and the Assistant Engineer and one copy kept .by each. If any damages or losses are noticed, the fact should, be noted in the charge papers. These shall be assessed by the Assistant Engineer within one week and details intimated to the Executive Engineer for taking action for recovery from the occupant.

(3) The occupant shall produce the latest bill and relative receipt in support of payment of electric current charges and water charges to the Assistant Engineer, at the time of vacating the quarters. The meter readings as on the date of vacating, shall then be taken by the Assistant Engineer and the amount yet to be paid by the occupant worked out. The occupant shall pay such amount to the Assistant Engineer, at the time of surrendering the key and obtain paper receipt. This amount shall be credited to the Authority's fund in the accounts of the Executive Engineer and payment of electric current and water charges shall be made or arranged to be made by the Assistant Engineer when the bills are actually received by drawing from the said fund. Balance, if any, will refunded to the occupant after settling all liabilities. If the amount recovered is found inadequate, the difference shall be met from the advance rent available in deposit and if that too is insufficient the required amount shall be met by the Authority and subsequently recovered from the occupant, as provided in regulation 26.

15. *Demand statement.* - (1) The demand statement for recovery of rent should normally reach the head of office by the 18th of each month. If due to any reasons, the demand statement is not received in time, the head of office shall effect the recovery based on the previous month's demand statement and intimate the fact to the Executive, Engineer if the occupant continues to occupy the quarters during that month also.

(2) It shall be incumbent upon the head of office to recover the amount as shown in the demand statement. If there is any real error or mistake the demand made, it may be pointed out after effecting the recovery and got adjusted in the subsequent demand.

(3) The advance rent paid by the occupant shall not normally be adjusted towards rent due. It shall be refunded, only on the basis of a certificate from the Assistant Engineer concerned that no-liabilities are due from the occupant, after the quarters are vacated and the key and other article handed over.

16. *Cancellation of allotment or violation of the regulation or agreement.* - If any occupant contravenes any of the provisions of these regulations or conditions in the agreement executed by him. It shall be lawful for the Executive Engineer concerned to cancelled allotment of quarters in his favour. The Executive Engineer shall issue a memo to the occupant setting forth the irregularities noticed and get a statement from the occupant showing cause,

if any, against the proposed to cancel the allotment. The occupant shall be bound to submit his reply within 7 days of receipt of the show cause notice. If the reply is found to be not satisfactory, the Executive Engineer shall serve a notice on the occupant through the Head of his office directing him to vacate the quarters within 30 days of the date of the notice.

Note. - For the period of stay in the quarters beyond the date permitted in this regulation, rent at five times the normal rate shall be recovered from the occupant.

17. *Serving of the orders of eviction.* - (1) Whenever it becomes necessary to vacate an occupant, the Head of Office shall serve the orders of eviction to the occupant as early as possible and direct him, to vacate the quarters within the prescribed time and to produce clearance certificate to that effect from the concerned Assistant Engineer. If the occupant fails to vacate the quarters and to produce the certificate within a week of after the expiry of 30 days fixed in the notice, the head of office shall issue orders placing the occupant under suspension with immediate effect. If the head of Office himself is not competent to place the officer under suspension he shall immediately take action to get the orders of the officer competent to do so, and in any case the suspension orders shall take effect from the date after seven days on which the eviction orders are served on the occupant.

(2) The employees under suspension shall be reinstated in service only on receipt of a clearance certificate from the Assistant Engineer in charge of the quarters. He shall be deemed to have been reinstated in service the day following the day of production of certificate. The period of suspension may be regularized by the Authority competent as eligible leave excepting casual leave.

18. *Appeal against the order of eviction.* - An appeal shall lie against the order of eviction to the Authority. But filing of such an appeal shall not in any way entitle the occupant to continue to occupy the quarters. If the Authority after examining the facts of the case, set aside the order of eviction the applicant shall be eligible for registration and shall be allotted quarters next falling vacant in preference to all other registered applicants.

19. *Disciplinary proceedings against the occupant.* - If any occupant commits violation of date of regulations and, the cancellation of allotment of eviction from quarters is not considered necessary, the Executive Engineer shall intimate the head of office about the violation of the provisions of the regulations with a request to intimate departmental disciplinary proceedings against the occupant. Thereupon the head of office shall intimate disciplinary proceedings, as per the rules in force and award appropriate punishments if the occupant is found guilty. The Head of office shall intimate the Executive Engineer about the outcome of the disciplinary proceedings and the final finds of the case. **If** the Executive Engineer himself is the Head of office the disciplinary action may be taken by him.

20. *Sharing or subletting of quarters.* - (I) The quarters shall not on any account be sub-letting nor shall it be shared with anybody without the written permission of the Executive Engineer concerned. Even in case where such permission is granted the liability for payment of rent shall rest on the person to whom the quarters is allotted.

(2) In the event of the death of either the husband or wife (allottee of the quarters) occupying the same quarters with the family i.e., husband and wife with children the quarters shall be allotted the surviving person (husband or wife) in case he/she is also an employee of the Authority.

21. *Addition, alteration or repair not to be done any occupation:* - (I) The occupant shall not make any additions, alterations or repairs to the quarters or any of the installations therein, even at their own cost, repairs or

replacements, required shall immediately be brought to the notice of the Assistant Engineer concerned for further action. Electrical wiring pipes laid etc shall not be interfered or tampered with.

(2) Additional amenities like installation of telephones, ceiling fans etc, at the cost of tile occupant can be provided only under the written permission of the Executive Engineer.

Note. -The occupants may put up at their cost temporary fence within the area of the compound, if any set apart for the quarters, for protecting garden or other vegetable plantation from stray animals for which no special sanction is required. But this may be done in consultation with the Assistant Engineer concerned.

(3) The occupant while living in quarters shall conduct himself/herself decently, without, in any way causing inconvenience to the neighbours. Unnecessary quarrels, state of drunkenness or other undesirable behavior shall be treated as misconduct, and such occupants shall be liable to be evicted on such grounds alone, without notice.

22. *Special powers of the Authority:* - Without prejudice to any of the provisions, contained in these regulations, the Authority shall have the right to refuse to register any application or to terminate any allotment already made, without assigning any reasons and in the latter case the occupant shall forthwith vacate the quarters and surrender possession as laid down in these regulations. No appeal shall be entertained on such orders.

23. *Promotion, transfer etc., to be intimated to the Executive Engineer.* - The occupants shall keep the Executive Engineer concerned informed of their promotion, transfer and changes in pay, headquarters, address etc, during the period of their stay in the quarters.

Note: - When the occupant proceeds on leave tour etc for more than two weeks and leaves his headquarters with family, the fact shall be intimated to the Assistant Executive engineer-in-charge, in writing.

24. *Residing without family or locking' up of quarters.* - The occupant may reside in the quarters without his/her family or keep it locked up for a maximum period of 3 months for reasons like hospitalization, confinement, vacation etc. This period may be extended up to six months in exceptional, cases, with the permission of the executive engineer in writing. But if such period exceeds six months the quarters shall be vacated and the key and building properly handed over, as provided in these Regulations. Failure to do so shall initial eviction as well as departmental disciplinary proceedings and realisation of penal rent at 3 times.

25. *Liability in excess of an advance.* - Liabilities, if any, against an occupant while vacating the quarters, shall be assessed and finalized within 14 days of the date of vacating. If the amount of liability is more than the advance rent available with the Executive Engineer, a special demand shall be issued to the head of office immediately. The amount as the special demand shall be recovered in cash from the pay of the occupant has been transferred the amount due shall be intimated to the new head of office in writing.

26. *Recovery of arrears.* - Notwithstanding anything contained in these regulations any amount due to the Authority from any occupant or persons occupant shall also be recoverable from his/her properties movable or immovable under the Revenue Recovery Act, 1968, as amended from time to time, as they are arrears of land revenue or in any other manner as the Authority may deem fits.

27. *All occupants to be governed by the regulations.*- (1) All occupants including, those who have been allotted quarters previously, shall be governed by these Regulations hereafter.

(2) Notwithstanding anything contained in these Regulations, the Authority may, in reserving cases, dispense with or relax the provisions of any regulations to such extent or subject to such conditions as deems fit.

BUILDING

28. *Reservation of accommodation, period of occupation, procedure of allotment, etc.*-(1) Accommodation in the buildings may be reserved for a period of 3 days of a time for members of general public, and ten days for employees of the Authority and Government Servants on Official duty, on formal application affixing a court fee stamp for value of 50 paise to the reserving authority at least 7 days in advance. The reserving Authority shall intimate the availability or otherwise of reservation to the applicant as well as the officer in charge of the Building. Employees of the Authority, Central and State Government Servants, Members of Parliament and Members of the Legislative Assembly of the State are exempted from payment of reservation fees. In the case of requests for reservation from outside the State and telegraphic request, intimation regarding the availability on reservation shall be given only if they are reply paid. In the case of persons applying for reservation from outside the State the reservation fee shall be sent by M. O. along with the application for reservation.

(2) The full amount of the occupation fees for the entire period of reservation shall be paid in advance to the officer in charge of the building before the room is occupied. In the case of extension if reservation, the full fee for the extended period of reservation shall be paid in advance before the commencement of the period of extension. No refund of the full or part of the fee paid shall be made except under clause (7) of this regulation or when for any reason not due to the fault of the occupant they are not allowed occupation for the full period of reservation.

(3) Reservation shall not ordinarily be made for more than three days at a stretch except in the case of Ministers, Members of the Authority, employees of the Authority and Government Servants on official duty. In exceptional cases the Reserving Authorities are empowered to sanction reservation up to a maximum period of thirty days. Reservation of accommodation for periods over thirty days shall be sanctioned by the Managing Director.

(4) The Inspection Bungalow and camp sheds are primarily intended for the use of the employees of the Authority traveling on official duty and shall have preferential claim for their occupation at all times and if needed, be received in advance. The ten days time limit for occupation the rooms in Buildings, provided under clause (1) above shall not be applicable to employees of the Authority occupying rooms in Inspection Bungalows or Camp sheds on official duty.

(5) Rooms in dormitories may be allotted on monthly basis to the employees of the Authority working at the same stations where the Dormitory are situated. The monthly rent payable in such cases may be calculated on the basis or daily rent prescribed in regulation 29. The time limit prescribed under clause (1) above shall not be applicable in the case of employees availing accommodation in the Dormitories on monthly basis.

(6) The allotment shall be made in the order of priority of applications and the order of precedence. The Reserving Authority shall communicate the order of reservation to the applicant as well as to the Officer-in-charge of the Building.

(7) If it is not possible to reserve accommodation, the advance fee shall be refunded. If in any case the advance fee to be refunded has to be sent by Money Order, the Money Order charges shall be met from such advance fee and only the balance amount sent to the applicant. But the advance fee shall not be refunded if accommodation is reserved and paid for but not utilized without prior intimation.

(8) If the applicant does not require the accommodation for the entire period already reserved and, gives intimation to that effect to the Reserving Authority or the officer-in-charge of the Building at least 24 hours in advance, rent shall be paid only for the actual period of occupation.

(9) The Reserving Authority is competent to cancel the reservation once made, without assigning any reason whatsoever.

(10) If the person who has reserved the room does not occupy the same within six hours on the first day of reservation to occupy the room, the officer-in-charge of the building may allot such room to others, according to priority of applications and the order of precedence.

(11) A person who has not reserved accommodation may be allowed to occupy a room if its available on his arrival if it is not reserved for anybody under proper authority. In such cases also the occupation fee in full for the period of occupation shall be paid in advance before commencement of occupation.

29. *Rate of rent in Buildings.* -The rate of rent for occupation of room in the Buildings are as follows:

A. Buildings other than camp shed at Sabarimala

(a)	(i)	Chairman, Members of Kerala Water Authority, Ex-chairman, Ex-members of Kerala Water Authority, Officers of Kerala Water Authority, retired officers of Kerala Water Authority/Public Health Engineering Department.	Rs. 5.00 per day
	(ii)	For additional members	Rs. 3.00 per day
(b)	(i)	Officers of Government Department and other Public Undertakings.	Rs. 10.00 per day
	(ii)	For additional members	Rs. 5.00 per day
(c)	(i)	Others	Rs. 15.00 per day
	(ii)	For additional members.	Rs. 5.00 per day

B. Camp shed at Sabarimala

(a)	(i)	Chairman, Kerala Water Authority, Members, Kerala Water Authority, Ex-Chairman and Ex-members of Kerala Water Authority, Officers of Kerala Water Authority and retired Officers of Kerala Water Authority / Public Health Engineering Department.	Rs. 10.00 per day
	(ii)	For additional members	Rs. 5.00/day per head
(b)	(i)	Officers of the Government Department and other Public Undertakings	Rs. 20.00 per day
	(ii)	For additional members	Rs. 10.00/head per day
(c)	(i)	Others	Rs. 60.00 per day
	(ii)	For additional Members	Rs. 15.00/day per head

C. Dining hall and corridors

Kerala Water Authority staff/Officers of Government Departments	Rs. 5.00/day per head
Other Pilgrims	Rs. 15.00/day per head

Note. -The number of additional members referred to above shall be limited to a maximum of 3 persons per suite or room. There shall be no charge for children below the age of 12 if no separated bed is used.

30. *Safety of articles and installations in the building and penalty for damages caused* -(1) A list of articles available in each room showing the value of each article shall be kept in each room.

(2) Persons occupying the room are expected to exercise due consideration and care for the rooms and furniture. Any defacing of the walls or willful damage to or spoiling of the furniture shall render the occupant liable to expulsion from the building besides payment of damages assessed by the Controlling Authority. The officer-in-charge of the building shall bring to the notice of the Controlling Authority or any other authority who is authorized by the Controlling Authority in this behalf any damage for fixing the cost of the damage.

(3) The occupant shall bring to the notice of the officer-in-charge of the building any damage or fault noticed at the time of his occupation. Subsequent complaints regarding such damage or fault shall not be entertained.

(4) The full value of the articles damaged or broken by the occupant or his servant shall be realized in cash from the occupant before vacating the room. The amount so paid shall be entered in the remarks column of the Register.

31. *Payment of dues:-* The bills for the buildings, prepared and signed by the Controlling Authority shall be paid in cash on presentation. Under no circumstances occupants may leave or cause their luggage removed from the buildings before all accounts are finally settled.

32. *Electric lights and fans.-*The occupants shall arrange to switch off the lights and fans in the room when not required or when absent from their rooms.

33. *Electric Gadgets or contravenes: -* No electric appliance other than those supplied such as table fans and table lamps shall be fitted for operation in the rooms without first informing the officer-in charge of the building in writing and obtaining his written permission. Additional use of electric power shall be charged *for* as extra in accordance with the estimated consumption of electric energy.

34. *Radios and Television:-* Radios and televisions or any other musical or noisy instruments shall not be played after 10 O' clock at night and even when played before that time shall not create disturbance to other occupants in the same building.

35. *Infections Diseases.-*Visitors who are suffering *from* infections diseases shall not be given accommodation or served meals in the building. In any resident gets an attack of any infections disease, he shall inform the fact to the officer-in-charge of the building so that accessory steps *for* assistance may be taken immediately. In such cases the officer-in-charge of the buildings shall immediately render whatever help he can in the matter.

36. *Safety of money and valuable articles.*-Occupants shall not keep any articles of value or money carelessly in their rooms but, keep all such articles under lock and key. The Authority shall not be responsible *for* any loss in case of theft or damage done to the occupant's property in case of accident or fire or through any other cause.

37. *Maintenance of accounts, issue of receipt etc.* -The officer-in-charge of the building shall kept the accounts of the incomes received by him *from* the buildings properly. The officer-in-charge of the building shall issue proper printed receipt for each and every amount received by him. If there is any refund, the acknowledgement of the party and the amount refunded shall be got entered in the occupation register. Special *fees* payable if any, shall also be entered in the occupation Register.

38. *Rates for pitching tents, vehicles, etc.* - (I) For pitching up tent in the premises of the building, the previous sanction of the Controlling Authority or his subordinates authorized *for* the purpose, shall be. obtained. Charges at the rate of 5 Rupees per day per tent up to 300 sq. ft. ground coverage and 7 Rupees per Lay *for* bigger tents shall be realized.

(2) Vehicle shall be accommodated in the building compound free of charge to the extent of one vehicle per occupant.

(3) Any traveler occupying the building with commercial vehicles *for* sale, vehicles loaded with articles intended *for* sale or advertisement shall in addition to the occupation fee pay *for* each such vehicle an amount equivalent to what he would have to pay *for* his occupation of the building.

39. *General:-* (1) Servants quarters shall be provided if available and. their accommodation shall be charged at the rate of Rs. 5 for each person per day.

(2) Every occupier of a building on entry is required to write his full name and address in a register kept for the purpose in the building. He shall specify the number of persons occupying the room and their family relationship with the occupant. The date and time of arrival, time of departure, the total amount paid by him, etc., shall also be written. He shall also sign the register as an indication that he is willing to abide by these regulations.

Note.- The Controlling Authority shall maintain a Register providing columns for the above purposes and for other items if any, in each building.

(3) No articles shall be removed from the building except under the orders of the Controlling Authority nor shall the Building be occupied by any person other than bona fide travelers.

(4) The articles provided in a room shall not be removed to other rooms for the convenience of the occupants.

(5) A suggestion book shall be maintained in each building for the occupants to write their complaints, if any, and suggestions and recommendations etc., for the better working of the Travelers Bungalow. The Controlling Authority shall arrange to have these suggestions examined and important points brought to the notice of the Authority for orders, at least once in a year.

(6) Authority employees attached to the buildings are forbidden from asking for tip from occupants. Visitors shall not pay any tip to the servants. Servants found soliciting for tips shall be liable for punishment. Any inconvenience or difficulty caused to the occupants by the act of the employees attached to the building should be brought to the notice of the Controlling Authority and remedy sought for.

(7) No requisition from the occupants or visitors for the management of furniture, carpet etc. in the rooms shall be entertained.

(8) Holding of conferences, seminars, meetings etc., in the buildings shall not be permitted.

(9) A list showing the names and designation of the servants posted in the building shall be placed in a conspicuous place for the information of the occupants.

(10) The rooms of the buildings shall be numbered and details regarding occupants in each room displayed in a convenient place for the information of the travelers. The details regarding the vacant rooms, if any shall also be so displayed.

(11) No dealers or their representatives are allowed to peddle their way or enter any residential or public rooms in the buildings.

(12) The rate of rent and other charges applicable .to the building shall be displayed in each building in a conspicuous place for the information of the travelers.

(13) A copy of these regulations shall be kept in each building for the information of the occupant.

40. *Special powers of the Reserving Authority:-* Notwithstanding anything contained in these regulations, the Reserving Authority shall have powers to reserve the building for any person, to cancel the reservation once made and to direct the occupant to vacate at 'any time without giving any reason whatsoever.

41. *Catering charges:-* Charges for catering, if any, provided in the building and the share of the receipts creditable to the Authority 'shall be at the rates prescribed by the Authority from time to time. Bills shall be issued by the caretakers in the prescribed form.

42. *Identification.-* The occupants/visitors on tour on official duty are expected to prove their identity on the request of the Controlling Authority of the building presenting their identity card issued in the form given in 'Appendix IV'.

By order of the Governor,

N.V. MADHAVAN
Secretary to Government

APPENDIX I

Classification of Residential Quarters for Authority Employees

Type No.	Grade of Officers	Plinth area	No. of family Per quarters/flat	Remarks
(1)	(2)	(3)	(4)	(5)

I. Single storied quarters:

I. Officers drawing pay up to Rs. 900		37.42 M ²	families	Row type	Units
II. Officers coming under the pay scales of Rs. 901-to 1700		57.71 M ²	2 families	Duplex type	
III. do	Rs. 1701-2500	84.10 M ²	do	do	
IV. do	Rs. 2501-2700	109.43 M ²	do	do	
V. do	Rs. 2701-3000	142.12 M ²	do	do	
VI. Officers drawing pay up to Rs. 3000		233.01 M ²	1 family	Single unit two storied.	

Approved design is inclusive of garage.

APPENDIX II

[Referred to at sub regulation (2) of Regulation 5]

1. Name of applicant :
2. Office in which employee :
3. Pay & Scale of pay 4. Date of birth :
5. Permanent Home address :
(With Village Taluk & District)
6. Whether married and proposes to occupy quarters if allotted with family :
7. Whether husband/wife is employed and if so particulars regarding place of employment, pay and scale of pay :
8. Whether owns a house within his/her headquarters, cities of Town or within a radius of 15 (fifteen) kilometers from his/her office either in his/her/wife/husband as the case may, or in the names of their children, whether inherited or purchased or obtained otherwise, including that under any hire purchase scheme :
9. Type of building required I or II or III or IV. :

Declaration

I,(Name)(Designation) etc. have read and understood the provision of the regulation for the allotment and occupation of Quarters, I hereby declare that I shall abide by the said provision and all other rules, Authority may, from time to time, make in this regard. The information furnished by the above or all the particulars furnished are found to be incorrect or mala-fide. I shall be liable for disciplinary action under the relevant rules in force.

Place:

Signature:

Date:

Designation:

Countersigned by the Head of Office / Department

Name & Designation:

APPENDIX III
(Referred to at regulation 8)

THIS LBASE DEED executed on this the day ofone thousand nine hundred and between Sri/smt. Home Village Taluk District..... now employed as..... at..... (hereinafter called "the lessee") of the one part and the Kerala Water Authority (hereinafter called "the lessor") of the other part.

WITNESS as follows:

In consideration of the rent herein reserved and the convenience on the part of the Lessee hereinafter contained the lessor both hereby demise unto the Lessee the building No.more particularly mentioned and described in the Schedule herein paying therefore a monthly rent of Rs..... subject to the terms and condition herein contained.

1. The Lessee hereby covenants with the Lessor as follows:

(i) An inventory of articles if any, entrusted to the lessee will be prepared and got signed by him as soon as he occupies the house.

(ii) The Lessee shall, during the continuance of the lease pay a monthly rent which will be the standard rent or 10% of the pay whichever is lower or the amount fixed in accordance with the rules from time to time. Provided that pay for the purpose of the calculation of rent, shall be that defined in rule 12 (23) Part I of Kerala Service Rules including Dearness pay.

(iii) The payment of rent or arrears thereof shall be made by deduction from the pay bills of the lessee shall pay it to the Executive Engineer concerned before the 20th of the succeeding month failing which the lessee shall be liable to be evicted.

(iv) In case both husband and wife occupying the quarter are employees of the Authority, rent will be calculated on the basis of the pay of the person drawing the higher rate of pay.

Provided the rent shall ordinarily be recovered only from the person in whose name the house standard allotted. Provided further that both shall be jointly liable for the payment of rent.

(v) The lessee shall not sub-let the building. He shall also not accommodate persons other than bona fide dependants whom he is expected to maintain or share the building with other employees of the Authority without the written sanction of the concerned Executive Engineer Provided however that even in such cases, the liability or payment of rent shall vest with lessee.

(vi) The lessee shall keep the concerned Executive Engineer informed of all changes in his official address promotion, transfer etc, during his stay in the quarters.

(vii) The lessee when vacating the building shall hand over charge of the building to the concerned Assistant Engineer or to the office authorized by him for the purpose, signing a statement in duplicate to the effect that the building and all other articles, entrusted to the lessee have been handed over to the Assistant Engineer or an other officer authorized by him for the purpose.

(viii) The lessee when he/she retires from service shall vacate the quarters, on the date of retirement unless previous sanction is obtained sufficiently early, before the forth-night proceeding the date of retirement, In case the Authority sanction the

continued occupation the lessee shall pay the rent in advance before the 5th of every month and shall be liable for the dues to the Authority and shall be recovered from his/her pension in case he/she fails to pay the rent to the Authority. He/she shall be liable to be evicted for the unauthorized occupation after the expiry of the period allowed.

(ix) The lessee who intends to vacate the quarters shall, except in case of sudden transfer or other unforeseen circumstances intimate the fact to the Executive Engineer in charge of the building at least one month before the date on which he intends to vacate the quarters failing which he/she shall be liable to pay rent for the period of one month from the date of vacating or till the date of occupation of the quarters by another person whichever is earlier.

(x) The lessee when transferred shall vacate the quarters within one month of the date of transfer unless extended by the Executive Engineer for a further period not exceeding two months. In case lessee fails to vacate the quarters after the prescribed period he/she shall be liable to pay rent at three times the usual rate paid by him:

Provided the above occupation shall be allowed only for further period three months after which he is liable to be vacated.

(xi) The lessee shall pay all dues by way of water charges, current charges including hire for meters if any, and cleaning charges except property to the local body concerned in time.

(xii) The lessee shall keep the quarters in neat condition and shall be liable for any damage caused to the quarters and the installations therein and shall may the post incurred by the Authority for repairing all such damages.

(xiii) In case the lessee commits breach of all or any of the terms and conditions herein contained, the lessee shall cease to have any right of occupation of the quarters and the lesser shall thereupon take position of the quarters. The lessee shall be liable or disciplinary action also.

(xiv) Notwithstanding anything herein contained, the lesser shall be competent to terminate the lease without assigning any reason whatsoever and lessee shall thereupon vacate the quarters within one month of the receipt of the notice of such termination. ,

(xv) The lessee shall provide his own furniture, materials and electric bulbs,

2. The Lesser hereby covenants with the lessee as follows:

(i) The lessees regularly paying the rent hereby reserve and agreed to be paid and on performing and observing all the covenants and stipulations' herein contained to be observed on the lease hold quarters and premises attached thereto during the currency of the lease without any interruption by the Lesser except otherwise provided herein.

(ii) The lessee further agrees that all amounts due from him or her on account of damages caused to the quarters and installations during his/her stay or any other dues for which he/she becomes liable to the Lesser under this deed shall be recovered by the Lesser by deduction from the lessee's pay.

(iii) Without prejudice to the rights of the Authority under the preceding clauses, all sums found due to Authority under or by virtue of this agreement shall be recovered from the lessee and his/her properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force as though they are arrears of land revenue or in the other manner as the authority may deem fit.

(iv) The lessee further agrees to abide by the rules and conditions regarding the allotment and occupation of the quarters and also to such terms and conditions, which the Authority may prescribe from time to time in this regard.

(v) The lesser shall hear the stamp duty with which documents is chargeable.

KERALA WATER AUTHORITY

THIRUVANANTHAPURAM - 695 033



G.O. Rt. No. 2595/92/LAD

Dated: 4/5/92

GOVERNMENT OF KERALA

Abstract

Kerala Water Supply and Sewerage Act, 1986 - The Kerala Water Authority (Conduct of Business) Regulations, 1992 proposed. to be issued under sub-section (2) of section 65 Previous approval of Government under sub-section (1) of section 65 - Conveyed - Orders issued.

LOCAL ADMINISTRATION (F) DEPARTMENT

G. O. Rt. No. 2595/92/LAD

Dated, Thiruvananthapuram, 4-5-1992

Read:- Letters No. KWA/HO/E1148 17/86 dated 5-6-1989, 18-8-1989 and 6-1-1992 from the Managing Director, Kerala Water Authority, Thiruvananthapuram

ORDER

Under sub-section (I) of section 65 of the Kerala Water Supply and Sewerage Act, 1986. (14 of 1986) Government are pleased to convey its previous approval to the Kerala Water Authority for the Kerala Water Authority (Conduct of Business) Regulations, 1992 proposed to be issued under clause (a) of sub-section (2) of section 65 of the said Act, as per the draft appended to this order.

By Order of the Governor,
K.G. BALACHANDRAN
Under Secretary to Government.

To

The Managing Director, Kerala Water Authority, Thiruvananthapuram Stock File.

THE KERALA WATER AUTHORITY

(An autonomous authority established under the Kerala Water Supply and Sewerage Act, 1986)
(14 of 1986)

No. Thiruvananthapuram, Dated, 4-5-1992

In exercise of powers conferred by sub-section (I) of section 65 of the Kerala Water Supply and Sewerage Act, 1986 (14 of 1986) read with clause (a) of sub-section (2) thereof and in supersession of the Kerala Water and Waste Water Authority (Conduct of Business) Regulations, 1984 and with the previous approval of the Government as required by sub-section (1) of the said section, conveyed in G. O. Rt. No. 2595/92/LAD dated 4-5-93 the Kerala Water Authority hereby makes the following regulations, namely:

REGULATIONS

I. SHORT TITLE AND COMMENCEMENT:- (i) These regulations may be called the Kerala Water Authority (Conduct of Business) Regulations, 1992.

(ii) They shall come into force at once.

2. DEFINITION:- (I) In these regulations, unless the context otherwise requires.

(a) "Act"; means the Kerala Water Supply and Sewerage Act, 1986 (14 of 1986) :

(b) "Agenda" means the list of business proposed to be transacted at a meeting of the Kerala Water Authority;

(c) "Government" means the Government of the State of Kerala;

(d) "Meeting" means meeting of the Authority whether ordinary or extraordinary;

(e) "Presiding Officer" means the Chairman or in his absence any member elected to preside over any meeting of the Authority, as provided in regulation 10 of these Regulations;

(f) "Secretary" means the Secretary of the Authority appointed under sub section (I) of section 8 of the Act.

(2) All other words and expressions used herein and not defined in these Regulations shall have the meaning respectively assigned to them in the Act.

3. TIME AND PLACE OF MEETING:- (1) The Authority shall meet at least once in a month. The date, time and place of meeting shall be fixed by the Managing Director in consultation with the Chairman.

(2) The Managing Director may, with the approval of the Chairman, and shall, upon requisition in writing of not less than three members of the Authority, call an extraordinary meeting of the Authority.

4. NOTICE OF MEETING:- (1) Notice of every meeting shall be given to every member not less than 3 days before the date fixed for the meeting, specifying the place, date and time of the meeting, by the Secretary :

Provided that the meeting at the shorter notice for the transaction of any urgent business, shall be convened by the Managing Director with the approval of the Chairman.

(2) The notice referred to above shall be served either by post or by delivery through the messenger. The necessity of notice may be waived if, the date, time and place of the ensuing meeting have already been fixed at the previous meeting.

(3) In the case of a member who is out of India at the time fixed for the meeting, the notice to such member shall be dispensed with.

5. AGENDA:- (i) A copy of the agenda with notes if any, shall ordinarily be given to the members at least two days before the date of the meeting.

Provided that in the case of a meeting called for the transaction of urgent business the agenda and notes, if any, shall be sent along with the notice of the meeting.

(ii) Notwithstanding anything contained in sub-clause (1) the non-circulation of agenda and notes, if any, or the non-receipt of the agenda by any member shall not vitiate the meeting and the Authority may proceed to transact the business on the agenda at any meeting.

(iii) Notwithstanding anything contained in sub-clauses (i) and (ii) above, any matter not included in the agenda of a meeting of the Authority on which the decision of the Authority is urgently required, may, with the approval of the Presiding Officer, be placed before the Authority at such meeting and the Authority may consider such matters.

(iv) The accidental omission to give notice to, or the non-receipt of notice by, any member shall not invalidate the proceedings at the meeting Or any resolution passed at such meeting.

6. NOTICE BY MEMBER OR A PROPOSITION FOR DISCUSSION:- Any member who desires that a certain matter should be discussed by the Authority shall send a notice of such proposition together with a brief note setting out the reasons in support of the proposition to the Secretary or to the Managing Director. Such proposition shall be included in the agenda of the next meeting to be held on a date not earlier than 15 days after the receipt of the notice. Provided that the Presiding Officer may allow such proposition to be included in the agenda of a subsequent meeting.

7. DISPOSAL OF URGENT BUSINESS PENDING A MEETING OF THE AUTHORITY:- Any proposal on which the decision of the Authority is urgently required may be circulated to the members and if approved by not less than five members of the Authority may be deemed to have been passed by resolution at a meeting of the Authority duly convened. Such decision shall be placed before the next meeting of the Authority for ratification.

8. ORDER OF BUSINESS AT MEETING:- The order in which any business may be transacted or any item taken up for consideration at any meeting shall be determined by the Presiding Officer.

9. QUORUM:-(1) Five members shall form the quorum: :Provided that if for any reason there is more than one vacancy of members the quorum shall be for.

(2) If within half an hour from the time appointed for holding the meeting, a quorum is not formed, the Chairman or the Managing Director shall adjourn the meeting.

(3) If the Authority so resolves, the Managing Director shall adjourn any meeting to any future date or to any hour of the same day and practicable intimation in that behalf shall be given to all members who were not present at the meeting.

(4) When a meeting is adjourned to a future date any item in the agenda under discussion or remaining to be discussed at the time of such adjournment shall, unless the Managing Director directs otherwise, have the same precedence which it had in the agenda immediately before such adjournment, in the business of the adjourned meeting.

10. PRESIDING OFFICER WHEN CHAIRMAN IS UNABLE TO ATTEND:- If the Chairman is for any reason unable to attend any meeting, the members present shall elect one among them to be the Presiding Officer for that meeting.

11. OTHER POINTS OF PROCEDURE:-Any other points of procedure to be followed at any meeting shall be decided by the Presiding Officer.

12. ATTENDANCE OF THE SECRETARY :- The Secretary shall ordinarily be present at all meetings but, shall have no right to vote.

13. DECISION BY THE AUTHORITY:-The decision in the meeting shall be the majority decision. In the case of a tie, the Presiding Officer shall have the a second casting vote and shall exercise the same.

14. MINUTES OF THE MEETINGS AND DECISION OF THE AUTHORITY OR RECORDING OF SUCH DECISION :-(1) Brief notes indicating the decision taken by the Authority at any meeting shall be recorded in a book which shall be signed by the Presiding Officer.

(2) The decision shall be recorded and compiled by the Secretary in an appropriate manner and these minutes circulated to the member within 10 days of the meeting. These minutes shall be recorded in a book and after they are confirmed by the Authority at its next meeting shall be signed by the Presiding Officer and it shall thereupon be the prima-facie evidence of the actual passing of the resolutions, for all purposes.

15. POWERS OF PRESIDING OFFICER TO CORRECT ARISE OR MAKE ALTERATIONS IN THE MINUTES:-The Presiding Officer shall have the power to correct any obvious arise and it make alterations in the drafting of the minutes of the meeting provided that such corrections or alterations do not change the spirit of the decision taken at the meeting.

16. MODIFICATION OR CANCELLATION OF THE DECISION OF THE AUTHORITY:-No decision of the Authority shall be modified or cancelled within 3 months from the date of such decision, except by a decision of seven members of the Authority.

17. ATTENDANCE OF THE MEETING:-The Secretary shall keep record of the attendance of members present at every meeting.

18. INTERPRETATIONS:- If any doubt arises at to the interpretations of any of the provisions in these regulations, it shall be referred to Government whose decision thereon shall be final.



KERALA GAZETTE
EXTRAORDINARY
PUBLISHED BY AUTHORITY

Vol. XXXVII] Thiruvananthapuram, Wednesday, 30th December 1992
9th Pousha 1914

[No. 1407

GOVERNMENT OF KERALA
Law (Leg. C) Department
NOTIFICATION

No. 19645/Leg.C/92/Law.

Dated, Thiruvananthapuram, 30th December, 1992
9th Pousha, 1914

The following Ordinance promulgated by the Governor of Kerala on the 30th December, 1992 is hereby published for general information.

By order of the Governor,
A. M. SIVADAS,
Law Secretary.

Printed and published by the S.G.P. at the Government Press, Thiruvananthapuram, 1992

33/5171/MC

ORDINANCE No. 11 OF 1992
THE KERALA WATER SUPPLY AND SEWERAGE (AMENDMENT)
ORDINANCE, 1992

An
Ordinance

Further to amend Kerala Water Supply and sewerage act, 1986.

Preamble:- WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action:

NOW, THEREFORE, in exercise of the powers conferred by clause(1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:

1. *Short title and commencement* - (1) This Ordinance may be called the Kerala Water Supply and Sewerage (Amendment) Ordinance, 1992.

(2) It shall come into force at once.

2. *Act 14 of 1986 to be temporarily amended*- During the period of operation of this Ordinance, the Kerala Water Supply and Sewerage Act, 1986 (14 of 1986) (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3 to 7.

3. *Amendment of Section 4*.- In the principal Act, in section 4, =

(i) for clause (h), the following clause shall be substituted, namely:=-

"(h) two members appointed by the Government, one of whom shall be a member belonging to a Scheduled Caste or Scheduled Tribe;"

(ii) after clause (i), the following clause shall be inserted namely:=-

"(j) an Accounts Member, who shall be a qualified Chartered Accountant having a minimum of 25 years of experience in responsible position in a reputed commercial organization or public sector undertaking or who shall be a member of the Accounts Service of the Central Government, appointed by the Government."

4. *Amendment of section 6*. - In section 6 of the principal Act, in sub-section (1), for the words, letters and brackets" or clause (i) " the words, letters and brackets "clause (i) or clause (j) " shall be substituted.

5. *Amendment of Section 7*.- In section 7 of the principal Act, for the words "and the Technical Member" the words "the Technical Member and the Accounts Member" shall be substituted.

6. *Insertion of new section 18A*.-After section 18 of the principal Act, the following section shall be inserted, namely:=-

"18A. Power of Government to retransfer certain Water Supply and Sewerage Services. -(1)

Notwithstanding, anything contained in this Act, on a request by a resolution passed in this behalf, by the local body which has its own electricity distribution system, the Government may, if they consider it necessary so to do, by notification in the Gazette Declare that the Water Supply and Sewerage Services and other items mentioned in clauses (a) and (b) of sub-section (1) of section 18, which had been vested in the Authority under the said section shall, on and from the date specified in the notification, revert in and stand retransferred to such local body, subject to such terms and conditions as may be mentioned therein and thereupon the local body shall exercise all powers and perform all functions relating thereto.

(2) All rights, liabilities and obligations relating to the Water Supply and Sewerage Services vested under sub-section (1), including the right to recover arrears of water charges, meter hire and of any cost or fees which were due to the Authority immediately before such vesting, shall vest in and stand transferred to the local body.

(3) Where any doubt or dispute, arises as to whether any property or asset has vested in such local body under sub-section (1) or any right, liability or obligation has become the right, liability or obligations of the local body under this section, such doubt or dispute shall be referred to the Government whose decision thereon shall be final and binding on the Authority and the local body concerned.

(4) The Authority shall lend the services of such number of employees, as may be necessary, to do the work in connection with the Water Supply or Sewerage Services or Sewerage Works vested in the local body under the sub-section (1) and the salary and other allowances of such employees shall be paid the local body".

7. *Amendment of section 22.*-In the principal Act, in section 22, in clause (d) of sub-section (4), before the words "in any Nationalized Bank" the words "in any Schedules Bank" or shall be inserted

B. RACHAIAH
GOVERNOR



KERALA GAZETTE

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EXTRA ORDINARY

അസാധാരണം

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

Vol. XXXVIII
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Thiruvananthapuram, Tuesday,
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GOVERNMENT OF KERALA LAW (LEGISLATION-C DEPARTMENT)

NOTIFICATION

No. 1 536/Leg.C293/Law.

Dated, Thiruvananthapuram,

2nd March, 1993
11th Phalguna, 1914

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 2nd day of March, 1993.

By order of the Governor,
T.P. SAROJAM
Special Secretary (Law).

ACT 6 OF 1993

THE KERALA WATER SUPPLY AND SEWERAGE (AMENDMENT) ACT, 1993

An Act to amend the Kerala Water Supply and Sewerage Act, 1986.

Preamble.-Whereas it is expedient to amend the Kerala Water Supply and Sewerage Act, 1986, for the purposes hereinafter appearing;

BE it enacted in the Forty-Fourth Year of the Republic of India as follows:

1. Short title and commencement .-(1) This Act may be called the Kerala Water Supply and Sewerage (Amendment) Act, 1993.

(2) It shall be deemed to have come into force on the 30th day of December, 1992.

2. *Amendment of section 4.*- In the Kerala Water Supply and Sewerage Act, 1986 (14 of 1986) (hereinafter referred to as the principal Act), in section 4,

(i) for clause (h), the following clause shall be substituted, namely:

"(h) two members appointed by the Government, one of whom shall be a member belonging to a Scheduled Caste or Scheduled Tribe";

(ii) After clause (i), the following clause shall be inscribed, namely:

"(j) An Accounts Member, who shall be a qualified Chartered Accountant having a minimum of 15 years of experience in responsible position in a reputed commercial organization or public sector undertaking or who shall be a member of the Accounts, Service of the Central Government appointed by the Government".

3. *Amendment of Section 6.* -In such section 6 of the principal Act, in sub-section (I), for the words, letter and brackets "or clause (i)" the words, letters and brackets "clause (i) or clause (j)" shall be substituted.

4. *Amendment of section 7.*-In section 7 of the principal Act, for the words "and the Technical Member." the words "the Technical Member and the Accounts Member" shall be substituted.

5. *Insertion of new section 18A.* -After section 18 of the principal Act, the following section shall be inserted namely,

"18A. power of Government to transfer certain Water Supply and Sewerage Services-(1) Notwithstanding anything contained in this Act on a request by a resolution passed in this behalf, by the local body which has its own electricity distribution system, the Government may, if they consider it necessary so to do, by notification in the Gazette declare that the Water Supply and Sewerage Services and other items mentioned in clauses (a) and (b) of sub-section (I) of section 18, which had been vested in the Authority under the said section shall, on and from the date specified in the notification revert in and stand retransferred to such local body, subject to such terms and conditions as may be mentioned therein and thereupon the local body shall exercise all powers and perform all functions relating thereto

(2) All rights, liabilities and obligations relating to the Water Supply and Sewerage Services re-vested under sub-section (1), including the right to recover arrears of water charges, meter hire and of any cost or fees which were due to the Authority immediately before such re-vesting, shall vest in and stand transferred to the local body.

(3) Where any doubt or dispute arises as to whether any property or asset has revested in such local body under sub-section (I) or any right, liability or obligation has become the right, liability or obligations of the local body under this section, such doubt or dispute shall be referred to the Government whose decision thereon shall be final and binding on the Authority and the local body concerned.

(4) The Authority shall lend the services of such member of employees as may be necessary, to do the work in connection with the Water Supply or Sewerage Services or Sewerage Works revested in the local body under sub-section (I) and the salary, allowance, contributions, if any, due to such employees shall be paid by the local body".

6. *Amendment of section 22.* -In the principal Act, in section 22, in clause (d) of sub-section (4) before the words "in any Nationalized Bank", the words "in any Scheduled Bank as defined in the Reserve Bank of India Act,-1934 (Central Act 2 of 1934) or in any Co-operative Bank" shall be inserted

7. *Repeal and saving.*-(1) The Kerala Water Supply and Sewerage (Amendment) Ordinance. 1992 (II of I 992) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the Principal Act, as amended by this Act.
