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NOTIFICATION

No.H.12018/3/91-LJD/54, the 6th June,2001. The following Act of the Mizoram Legislative Assembly which received the assent of the Governor of Mizoram is hereby published for general information

The Mizoram water Tariff(Amendment) Act, 2001 (Act No. 6 of 2001).

(Received the assent of the Governor of Mizoram on the 30th April, 2001).

AN
ACT

to amend the Mizoram Water Tariff Act, 1991.

It is enacted by the Legislative Assembly of Mizoram in the Fifty First Year of the Republic of India as follows :—

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| Short title and commencement | 1. (1) This Act shall be called the Mizoram Water Tariff (Amendment) Act, 2001. |
| | (2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint. |
| Amendment of Section 4 (b) | 2. In the Mizoram Water Tariff Act, 1991 (hereinafter referred to as the Principal Act) for Section 4 (b), the following section shall be substituted, namely :— |

The application so received shall be recorded by the concerned Sub-Divisional Officer/Assistant Engineer who shall submit the same through proper channel to the officer authorised for sanctioning.

Amendment of Section 4 (e) In the principal Act, for section 4 (e), the following section shall be substituted, namely :—

The water connection shall be ordinarily provided from Supply Tank. In case, this is not feasible, the concerned Sub-Divisional Officer/Assistant Engineer shall obtain approval of the concerned Executive Engineer for providing water connection from other than Supply Tank.

Amendment of Section 4 (f) In the principal Act, for section 4 (f), the following section shall be substituted, namely :—

A Galvanised Iron Pipe of 15mm dia or 20mm dia of medium quality shall be normally used for providing water connection. In the event of any requirement of bigger size of Galvanised Iron Pipe, the concerned Sub-Divisional Officer/Assistant Engineer shall obtain prior approval of concerned Executive Engineer.

Amendment of Section 4 (g) In the principal Act for Section 4 (g), the following Section shall be substituted, namely :—

The water connection shall be provided to the ground floor or any other floor below or above the ground floor of any building provided that water connection is technically feasible which may be decided by the Department.

Insertion of Section 4 (h) After Section 4 (g) of the principal Act, the following Section shall be inserted as section 4 (h) namely :—

4 (h) Executive Engineer, Sub-Divisional Officer/Assistant Engineer, P.H.E. may sanction temporary water connection from any convenient supply point to meet an emergency requirement of private, individual or any organisation for a period not exceeding 60 days & 30 days respectively within his/her jurisdiction subject to the condition that material as may be required will be provided by the Association, Social Organisation or Individual or Private.

Insertion of Section 4 (i) After Section 4 (h), of the principal Act, the following Section shall be inserted as Section 4 (i) namely :—

4(i) No consumer shall be allowed to transfer ownership of private water connection by virtue of his selling/changing ownership of land or building without prior clearance of water tariff due, if any, and/or without payment of transfer fee of Rs. 10.00 (Rupees ten) only by the new owner in his/her name.

Amendment of Section 5 (e) 3. In the principal Act, for Sub-Section 5 (e), the following section shall be substituted, namely :—

In the event of any default in the matter of payment of water charges, fees, etc, the water connection shall be liable for disconnection or not permitted to draw water from public points or Hand Pumps, concerned Executive Engineer Sub-Divisional Officer are authorised to disconnect the water connection.

Amendment of Section 6 (b) 4. In the Principal Act, Sub-Section 6(b), the following section shall be substituted, namely :—

A minimum of Re. 0.01 (one paise) only per litre per piped water connection shall be charged as Tariff for supply of a maximum 13,000 (thirteen thousand) litres per month per piped water connection for lands or buildings of the consumer subject to a minimum charge of Rs. 100.00 (Rupees one hundred) only per month.

Amendment of Section 6 (c) In the principal Act, for sec 6 (c), the following section shall be substituted, namely :—

A minimum of Re 0.02 (two paise) only per litre per piped water connection for supply of water in excess of 13,000 (thirteen thousand) litres but not exceeding 39,000 (thirty nine thousand) litres per month to the consumer.

Amendment of Section (d) In the principal Act, for section 6 (d), the following section shall be substituted, namely :—

A minimum of Re 0.03 (three paise) only per litre per piped water connection for supply of water in excess of 39,000 (thirty nine thousand) litres per month to the consumer.

Amendment of Section 6 (e) In the principal Act, for section 6 (e), the following section shall be substituted, namely :

A minimum of Rs. 10.00 (Rupees Ten) only per month shall be charged to each family drawing water from Public Points and Hand Pump Tube Well in all Urban and Semi-Urban areas within Mizoram.

Amendment of Section 6 (f) In the principal Act, for Section 6 (f), the following section shall be substituted, namely :—

A minimum of Re 0.02 (two paise) only shall be charged only per litre if water is purchased from the Department.

Amendment of Section 8 5. In the principal Act, for Section 8, the following section shall be substituted, namely:—

No water shall be used except for the purpose for which water supply is provided. Water supplied by the Department should be utilized strictly for which it is supplied and shall not be sold out/doled out to other household or establishment for any purpose.

Amendment of Section 9 (3) 6. In section 9 (3) of the principal Act, for the word "Executive Engineer" the words "any PHE Department personnel not below the rank of Junior Engineer/Sectional Officer" shall be substituted.

Amendment of Section 9 (4) In the principal Act, for sec 9 (4), the following section shall be substituted 1, namely :—

If the repairs are not effected within the time specified in the said notice, at in sub-section (3) of this section, the Executive Engineer or his subordinate Officer authorised on his behalf may cause such repairs to be made in order to stop wastage of water. The cost of such repairs shall be recovered from the owner or the occupier of the land or building.

Amendment of section 10(2) 7. In the principal Act, for section 10(2), the following section shall be substituted, namely :—

Neither no person shall draw off, divert or pump water from water Reservoir, Mains, Pipes, or hydrants under the management and control of the Government nor shall divert water from out of the private connection pipe line.

Amendment of section 11 (1) 8. In the principal Act, for section 11 (1), the following section shall be substituted, namely :—

Notwithstanding anything contained in this Act, Executive Engineer/ Sub-Divisional Officer may cut off, turn off or disconnect water connection of any land or building to which water is supplied from such works or may turn off such supply, for any of the following cases, within his/her jurisdiction.

Insertion of Section 11 (1)(b) In section 11(1)(b) of the principal Act, after the word "Executive Engineer" the word "Sub-Divisional Officer" shall be inserted.

Amendment of Section 11(1)(g) In the principal Act, for section 11(1)(g), the following Section shall be substituted, namely :—

Provided that except in the case where by reason of any of the circumstances referred to in clause (a), (b), (c), (d), (e), (f) and (g) of this section there is a risk of contamination of water, the Executive Engineer/Sub-Divisional Officer/Junior Engineer/Sectional Officer shall not cut off such connection or turn off such supply unless prior notice is given to the owner or occupier of the land or building as the case may be.

Insertion of Section 11 (1)(h) In section 11(1) of the principal Act, after clause (g), the following words shall be inserted as clause (h) namely :—

"If any occupier or owner of the building or land causes any inconvenience to the Department personnel by way of intimidating or endangering, to the extent that, operating water supply works is disturbed"

Insertion of 9. In Section 12 of the principal Act, after the words "under section 12", the figure "8", shall be inserted.

Insertion of In section 12(b) of the principal Act, after the word "with reference to", the figure and word "8 and" shall be inserted.

(b)

Insertion of After section 12(b) of the principal Act, the following Section shall be inserted as Section 12(c) namely :-
Section 12 (c)

12(c) The occupier of the land/building whether she/he may be the owner of the land or not is liable to be punished if she/he is the offender.

P. Chakraborty,
Secretary to the Govt. of Mizoram,
Law & Judl. Deptt.
Aizawl.