

Cantonments Act, 2006

Section 232 - Prohibition of certain acts

1) No person shall-- (a) wilfully obstruct any person acting under the authority of the Board, or the Chief Executive Officer, in setting out the lines of any works or pull up or remove any pillar, post or stake fixed in the ground for the purpose of setting out lines of such work, or deface or destroy any works made for the same purpose; or (b) wilfully or negligently break, injure, turn on, open, close, shut off or otherwise interfere with any lock, cock, Valve, pipe, meter or other work or apparatus belonging to the Board; or (c) unlawfully obstruct the flow of or flush, draw off, or divert, or take water from any water Work belonging to the Board; or (d) unlawfully obstruct the flow of or flush, draw off, or divert, or take sewage from any sewage work belonging to the Board or break or damage any electrical transmission line maintained by the Board; or (e) obstruct any officer or other employee of the Board in the discharge of his duties under this Chapter or refuse or wilfully neglect to furnish him with the means necessary for the making of any entry, inspection, examination or inquiry thereunder in relation to any water or sewage work; or (f) bathe in, at or upon any water work or wash or throw or cause to enter therein any animal, or throw any rubbish, dirt or filth into any water work or wash or clean therein any cloth, wool or learner or the skin of any animal, or cause the water of any sink, or drain or any steam-engine or boiler or any polluted water to turn or be brought into any water work, or do any other act whereby the water in any water work is fouled or likely to be fouled. (2) Nothing in clause (b) of sub-section (1) shall apply to a consumer closing 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. (1) In every cantonment where a sufficient supply of potable water for domestic use does not exist, the Board shall provide or arrange for the provision of such a supply. (2) The Board shall, as far as possible, make adequate provision that such supply shall be continuous throughout the year, and that the water shall be at all times fit for human consumption. (3) It shall be the duty of every Board to practise and propagate the scientific methods of water harvesting including harvesting of rain water for use and make arrangement for recharging the sources of ground water including underground aquifers and to preserve rivers, streams, springs and other natural sources of water within and in the vicinity of the cantonment. In this Chapter, unless the context otherwise requires, the following words and expression in relation to water supply shall have the respective meanings given below, namely:-- (J) "communication pipe" means :-- (a) where the premises supplied with water abut on the part of the street in which the main is laid, and the service pipe enters those premises otherwise than through the outer wall of a building abutting on the street and has a stopcock placed in those premises and as near to the boundary of that street as is reasonably practicable, so much of the service pipe as lies between the main and that stopcock; (b) in any other case, so much of the service pipe as lies between the main and the boundary of the street in which the main is laid, and includes the ferrule at the junction of the service pipe with the main, and also,-- (i) where the communication pipe ends at in a stopcock, that stopcock, and (ii) any stopcock fitted, on the communication pipe between the end thereof and the main. (2) "main" means a pipe laid by the Board for the purpose of giving a general supply of water as distinct from a supply to individual consumers and includes any apparatus used in connection with such a pipe. (3) "service pipe" means so much of any pipe for supplying water from a main to any premises as is subject to water pressure from that main, or would be so subject but for the closing of some tap. (4) "supply pipe" means so much of any service pipe as is not a communication pipe. (5) "trunk main" means a main constructed for the purpose of conveying water from a source of supply to a filter or reservoir or from one filter or reservoir to another filter or reservoir, or for the purpose of conveying water in bulk from one part of the limits of supply to another part of those limits, or for the purpose of giving or taking a supply of water in bulk. (6) "water fittings" includes pipes (other than mains), taps, cocks, valves, ferrules, meters, cisterns, baths and other similar apparatus used in connection with the supply and use of water. (1) The Board may, when so required,-- (a) carry out a survey of the existing consumption of and demand for water supplies in cantonment and of the water resources in or likely to be made available in the cantonment; (b) prepare an

estimate of the future water supply requirements of the cantonment; (c) carry out a survey of the existing quantity of sewage collection; (d) formulate proposals as to-- (i) the existing or future water supply requirements of the cantonment; (ii) the existing or future sewage collection requirement in cantonment including proposals for the manner in which and the place or places at which sewage should be carried, collected and treated. (2) If the Board is of the opinion that the works and other properties for the time being vested in the Board, are inadequate for the purpose of sufficient supply of water or for the purpose of efficient collection of sewage under this Act it may take steps in accordance with the provisions of this Act for the construction of additional works, whether within cantonment or outside the cantonment with the approval of the Principal Director and for the acquisition of additional properties for such works. (1) The Board may, with the previous sanction of the Central Government, by public notice, declare any lake, stream, spring, well, tank, reservoir or other source, whether within or without the limits of the cantonment other than a source of water-supply under the control and in use of the Military Engineer Services or the Public Works Department from which water is or may be made available for the use of the public in the cantonment to be source of public water-supply. (2) Every such source shall be under the control of the Board and it shall be the duty of the Board to preserve and maintain such source. The Chief Executive Officer may, by notice in writing, require the owner or any person having the control of any source of public water-supply which is used for drinking purposes-- (a) to keep the same in good order and to clear it from time to time of silt, refuse and decaying vegetation; or (b) to protect the same from contamination in such manner as the Chief Executive Officer may direct; or (c) if the water therein is proved to the satisfaction of the Chief Executive Officer to be unfit for drinking purposes, to take such measures as may be specified in the notice to prevent the public from having access to or using such water: Provided that, in the case of a well, such person as aforesaid may, instead of complying with the notice, signify in writing his desire to be relieved of all responsibility for the proper maintenance of the well and his readiness to place it under the control and supervision of the Board for the use of the public, and, if he does so, he shall not be bound to carry out the requisition, and the Board shall undertake the control and supervision of the well. (1) Subject to the guidelines made by the Board in this regard, the Chief Executive Officer may permit the owner, lessee or occupier of any building or land to connect the building or land with a source of public water-supply by means of communication pipes of such size and description as may be specified for the purpose of obtaining water for domestic use. (2) The occupier of every building so connected with the water-supply shall be entitled to have for domestic use, in return for the water tax, if any, such quantity of water as the Chief Executive Officer may determine. (3) All water supplied in excess of the quantity to which such supply is limited under sub-section (2) and, in a cantonment in which a water tax is not imposed, all water supplied under this section, shall be paid for at such rate as the Board may fix keeping in view its financial viability. (4) The supply of water for domestic use shall not be deemed to include any supply for-- (a) animals or for washing vehicles where such animals or vehicle are kept for sale or hire; (b) any trade, manufacture or business; (c) fountains, swimming baths or any ornamental or mechanical purpose; (d) gardens or for purposes of irrigation; (e) making or watering roads or paths; or (f) building purposes. If it appears to the Chief Executive Officer that any building or land in the cantonment is without a proper supply of potable water, the Chief Executive Officer may, by notice in writing, require the owner, lessee or occupier of the building or land to obtain from a source of public water-supply such quantity of water, as is, adequate to the requirements of the persons usually occupying or employed upon the building or land, and to provide communication pipes of the prescribed size and description, and to take all necessary steps for the above purposes. (1) Subject to the guidelines made by the Board in this regard, the Chief Executive Officer may, by agreement, supply, from any source of public water-supply, the owner, lessee or occupier of any building or land in the cantonment with any water for any purpose, other than a domestic purpose, on such terms and conditions, consistent with this Act and the rules and bye-laws made thereunder, as may be agreed upon between the Chief Executive Officer and such owner, lessee or occupier. (2) The Chief Executive Officer may withdraw such supply or curtail the quantity thereof at any time if it should appear necessary to do so for the purpose of maintaining sufficient supply of water for domestic use by inhabitants of the cantonment. Notwithstanding any obligation imposed on Boards under this Act, a Board shall not be liable to any forfeiture, penalty or damages for failure to supply water or for curtailing the quantity thereof if the failure or curtailment, as the case may be, arises from accident or from drought or other unavoidable cause unless, in the case of an agreement for the supply of water under

