

DARJEELING MUNICIPALITY

Form of Application for connection with the Municipal Water Supply.

Serial No. 782

Date of Receipt

Application for Temporary Connection
Permanent

(The particulars below must be supplied by the applicant)

Name of Applicant

Address

Name and size of taps required

Purpose for which the water is to be used

Domestic Gardening or Industries

I/We do hereby agree to abide by the provisions of B.M. Act. 1993 and rules of water Supply of the Municipality as already existing and as may be legally framed in future under the provisions of the B.M. Act 1993.

Date

Signature of Applicant

NOTE

The following extracts from the Municipal Act are given for the information of the applicant. A copy the Water-Works Rules may be had on application to the Municipal Office.

231. Power to permit connection to houses and lands. -

- (1) Subject to such conditions and restrictions as may be prescribed and such terms as the Chairman-in-Council may, from time to time, determine, the Chairman-in-Council may, on the application of the owner or the occupier or any house or land in respect of which property tax is paid, make or cause or permit to be made communication or connection from any main, service-main or distribution pipe, belonging to the Municipality or from any channel maintained, owned or vested in the Municipality.
- (2) The Chairman-in-Council may require the amount necessary for the execution of any work under this section and other charges or fees, if any, to be paid or deposited before such work is executed by it.

238. Water not be wasted. -

- (1) No person, being the occupier of any premises to which water is supplied by the Board of Councillors under this Chapter, shall, on account of negligence or other circumstances under the control of the said occupier, allow the water to be wastes, or allow the pipes, works or fittings for the supply of water in his premises to be out of repair causing thereby waste of water.

- (2) No person shall unlawfully flood, draw off, divert or take water from, any water-works belonging to, or under the control of, the Board of Councillors, or from any water-course or stream by which such water-works are supplied.
- (3) Any person, who contravenes the provisions of this section, shall be liable to such fine imposed by the Board of Councillors, not exceeding three hundred rupees, as may be prescribed.

239. Power to cut off or to turn off supply of water to premises. -

- (1) Notwithstanding anything contained in this Chapter, the Chairman-in-Council may cut off the connection of water-supply to any premises, or may turn off such supply, in any of the following cases, namely :
 - (a) if the premises are unoccupied or prohibited for human habitation; or [(aa) if, in respect to the premises, any taxes or rates or fees or charges are in arrear for payment for more than one year; or]
 - (b) if, after receipt of a written notice from the Chairman requiring him to refrain from so doing, the owner or the occupier of the premises continues to use the water or permit the same to be used in contravention of the provisions of this Act or the rules or the regulations made thereunder; or
 - (c) if any pipe, tap, works or fittings connected with the supply of water to the premises be found, on examination by any officer of the Municipality duly authorised in this behalf, to be out of repairs to such an extent as may cause so serious a waste or contamination of water that, in the opinion of the Chairman, immediate prevention is necessary, or
 - (d) if there is any water-pipe situated within the premises to which no tap or other efficient means of turning the water off is attached; or
 - (e) if, by reason of a leak in the service-pipe or the fittings, damage is caused to the public street and immediate prevention is necessary:

Provided that no action under clause (a) I [or clause (aa)] or clause (b) shall be taken without giving a notice of not less than three days to the owner or the occupier, as the case may be.

- (2) The expenses of cutting off the connection or of turning off the water and of restoring the same, as determined by the Chairman-in-Council in any case referred to in sub-section (1), shall be paid by the owner or the occupier of the premises.
- (3) No action taken under, or in pursuance of, this section shall relieve any person from any penalties or liabilities which he may otherwise have incurred.

B. ENTRY AND INSPECTION

387. Powers of entry and inspection.-

The Board of Councillors or any officer or other employee of the Municipality authorised by the Board of Councillors or empowered by or under this Act in this behalf may enter into or upon any land or building with or without assistants or workmen -

- (a) for the purpose of ascertaining whether, in connection with the land or the building, there is or has been any contravention of the provisions of this Act or the rules or the regulations made thereunder;
- (b) for the purpose of ascertaining whether or not circumstances exist which render it necessary, or require the Board of Councillors or any officer or other employee of the Municipality authorised or empowered in this behalf, to take any action or execute any work under this Act or the rules or the regulations made thereunder;
- (c) for the purpose of taking any action or executing any authorised or required by this Act or the rules or the regulations made thereunder;
- (d) to make such inquiry, inspection, examination, measurement, valuation or survey or survey as may be authorised or required by or under this Act or as may be necessary for the proper administration of this Act;
- (e) generally for the purpose of efficient discharge of the functions by any of the authorities under this Act or the rules or the regulations made thereunder.