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No. 2872—PLW-SB-76/2006-HUD.

GOVERNMENT OF ORISSA

HOUSING & URBAN DEVELOPMENT DEPARTMENT

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RESOLUTION
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The 6th February 2010

SUBJECT—Provision of Universal Access to Safe Drinking Water in Urban Local Bodies—
Amendment of “The Orissa Waterworks (Urban Local Bodies) Rules, 1980”.

REF.—Government in H. & U.D. Department Resolution No. 38409/HUD., dated the 1st December 1980, No. 4229-HUD., dated the 3rd February 1981, Corrigendum No. 14117-HUD., dated the 6th March 1982, Resolution No. 43023-HUD., dated the 8th December 1988, Resolution No. 26708-HUD., dated the 16th August 1996 & Corrigendum No. 28173-HUD., dated the 28th August 1996, Resolution No. 15516—Plw-SB-5/2005-HUD., dated the 30th June 2005.

The question of providing Universal Access to Safe Drinking Water in Urban Local Bodies was under consideration of the Government for sometime. The State Government after careful consideration do hereby make the following further amendments to the Orissa Waterworks (Urban Local Bodies) Rules, 1980 and in amendments subsequent thereto and order that the same may be given effect from the date of publication of this Resolution in *Orissa Gazette* :

1. (i) These rules may be called the Orissa Waterworks (Urban Local Bodies) Amendment Rules, 2009.

(ii) They shall come into force on the date of their publication in the *Orissa Gazette*.

2. In the Orissa Waterworks (Urban Local Bodies) Rules, 1980 (herein after referred to as the said Rules), for Rule 8, the following shall be substituted, namely :—

“8. (a) For obtaining water supply connection to a Non-Government building within the area defined in Rule 1(a), the house owner will submit an application in the prescribed form as appended hereto (Appendix 1) addressed to the Executive Engineer, Public Health Division or any officer-in-charge along with the followings :

(i) Copy of holding tax receipt/property tax receipt duly attested.

(ii) Copy of registration/sale deed/record-of-rights/patta/lease deed of the land/plot in case of an unassessed building/new building duly attested.

(iii) Site plan showing location of building *vis-a-vis* the existing road (s), and line diagram of the building showing the plumbing fixtures.

(iv) A non-refundable fee as per the provision of these rules to cover scrutiny charges and supervision”.

(b) Connection fee (domestic) in instalments.

* 36 Monthly equal instalments ; Rs. 100 per month,

* 24 Monthly equal instalments : Rs. 150 per month

* 12 Monthly equal instalments : Rs. 270 per month.

(c) Domestic water connection fees for B.P.L. consumers under the new scheme, named “Piyush” shall be Rs. 500 only (a non-refundable connection fee of Rs. 440 plus a refunded deposit of Rs. 60) which can be paid either one-time or in 5 (five) interest free Equal Monthly Instalments (E.M.Is.) of Rs. 100 each. As a proof of being B.P.L., such an applicant shall furnish a copy of the B.P.L. Card, in addition to the proof of his/her Record-of-Rights over the house/land (Copy of Municipal Holding Tax Receipt/Registration/Sale Deed/Record-of-Rights/Patta/Lease Deed of the land/plot) along with the application. The original documents shall be produced before the Executive Engineer or the Officer-in-Charge for verification.

Water tariff of Rs. 30 per tap per month shall be charged by each connection with usual increase at the rate of 5% in each year.

3. In the said Rules, for Rule 9, the following rule shall be substituted, namely :—

“9. After scrutiny and approval, the Executive Engineer/Officer-in-Charge shall return one copy of the approved line diagram to the house owner and direct him to deposit necessary amount as in Rule 10”.

4. In the said rule, the Rule 10 shall be renumbered as sub-rule (a) thereof and after sub-rule “(a)” so renumbered, the following sub-rule shall be inserted, namely :—

“(b) The maximum time for according sanction to a water or sewer connection, where found feasible shall be restricted to not more than 7 (seven) working days from the date of submission of an application, complete in all respects. In case of rejection of the application due to any valid reason, it shall be recorded and communicated in writing by the Executive Engineer or the Officer-in-Charge to the applicant within the same time frame”.

5. In the said rules, in Rule 21, after sub-rule (c), the following sub-rule shall be inserted namely :—

“(d) Temporary water connections shall be permitted to kiosks, fast food centers, roadside eateries, milk booths and other small commercial establishments (including OMFED and OPOLFED, etc.) with the following conditions :—

(i) The owner of the establishment shall make an application for the connection in the prescribed form to the Executive Engineer or the Officer-in-Charge along with the proof of ownership of the establishment in the form of copy of recent electricity bill/bank account/trade license.

(ii) The connection shall invariably be metered.

(iii) A connection fee of Rs. 500 shall be paid for the purpose.

(iv) Water tariff shall be applicable at the commercial rate as per sub-rule (c) of Rule 21 of these Rules, subject to a minimum of Rs. 200 per month with periodical increase at the rate of 5% per year at par with the commercial rate.

(v) Installation of the water meter, its repair and replacement shall be the responsibility of the consumer. Once reported as defective, the faulty meter must be repaired/replaced within a month, failing which the monthly charges shall be fixed at four times the previous month’s bill amount.

(vi) The upper limit for according sanction shall not exceed fifteen days. In case of rejection due to technical problem, it shall be communicated within seven days”.

6. In the said rule, the Rule 24 shall be renumbered as sub-rule (a) thereof and after the sub-rule (a) so renumbered, the following sub-rule shall be inserted, namely :—

“(b) A rebate of 5% is allowed to the consumers willing to pay the water charges on annual basis in advance by 31st May of the corresponding financial year. In such case, the rebate admissible on timely payment of monthly water charges shall no more be applicable.

7. In the said rules, in Appendix I,—

(i) the Sl. No. 11 shall be deleted.

(ii) for the entries against Sl. No. 12(c), below, the following shall be substituted, namely :—

“Enclosed :

(1) Line Diagram : Two Nos.

(2) Copy of Municipal Holding Tax Receipt/Property Tax Receipt/Registration/ Sale Deed/Record-of-Rights/Patta/Lease Deed of the land/Plot”.

(iii) after Serial No. 12(c),—

(a) the following shall be inserted, namely :—

“(d) I clearly understand that sanctioning of a new water or sewer connection to the above house/plot by Public Health Engineering Organization (P.H.E.O.) shall be restricted strictly to water and/or sewer house service connection purpose only. It shall neither entitle

me in any way to be the owner of the house/plot nor shall in any way constitute any evidence towards my right to the said property” and (b) for the entries (i) to (vi) appearing in the Note, the following shall be substituted namely :—

“(i) Copy of holding tax receipt.

(ii) Copy of Registration/Sale Deed/Record-of-Rights/Patta/Lease Deed of the Land/Plot in case of an unassessed Building/New building.

(iii) Site plan showing location of building *vis-a-vis* the existing road (s), and line diagram of the building showing the plumbing fixtures.

(iv) A non-refundable fee as mentioned in the Rules to cover scrutiny charges and supervision”.

ORDER—Ordered that the Resolution be published in the *Orissa Gazette* and copies of the same forwarded to all Departments of Government/all Heads of Departments/Accountant-General, Orissa/Deputy Accountant-General, Orissa/all Revenue Divisional Commissioners/Chief Engineer, Public Health (Urban), Orissa, Bhubaneswar/Chief Engineer, Rural Water Supply & Sanitation, Orissa/all District Magistrates/Director, Municipal Administration and *ex officio* Additional Secretary to Government, Housing & Urban Development Department/all Superintending Engineers, Public Health/all Superintending Engineers, Rural Water Supply & Sanitation/all Executive Engineers, Public Health Divisions/all Executive Engineers of Rural Water Supply & Sanitation Divisions/all Municipal Commissioners of Municipal Corporations/all Executive Officers of Municipalities and Notified Area Councils/Estate Officer, General Administration Department/Rent Officer, General Administration (Rent) Department/Valuation Officer, Housing & Urban Development Department.

By order of the Governor

A. K. PANDA

Commissioner-*cum*-Secretary to Government