



सत्यमेव जयते

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PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations
made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 20th August, 2019 is hereby published for general information.

K. M. LALA,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 22 OF 2019.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 22nd August, 2019).

AN ACT

to prevent unauthorized or excessive drawl of water, damage to water supply infrastructure; and to protect domestic water supply system in the State of Gujarat and for the matters connected therewith or incidental thereto.

It is hereby enacted in the Seventieth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Domestic Water Supply (Protection) Act, 2019.
- (2) It extends to whole of the State of Gujarat.

Short title, extent
and
commencement.

- (3) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint; and different dates may be appointed for different provisions of this Act.

Definitions. 2. In this Act, unless the context otherwise requires,-

- (a) "Authority" means a public water distribution authority as specified in section 4;
- (b) "Board" means the Gujarat Water Supply and Sewerage Board established under section 3 of the Gujarat Water Supply and Sewerage Board Act, 1978;
- (c) "bulk pipeline system" means any pipe line, size of which is more than 300mm diameter or such lower size of pipeline which feeds water to storage reservoir or Water Treatment Plants and includes open conveyance channels water storage systems, and valves or attachments on such pipeline;
- (d) "connecting pipe" means a pipe connecting distribution line to the user's house or premises through which he receives water;
- (e) "distribution pipeline" means pipelines other than used in bulk pipeline system;
- (f) "domestic water" means water used for consumption by human beings for drinking or other domestic purposes such as cooking, bathing, washing, cleaning and other day-to-day activities; and includes consumption of water for live-stock.

Explanation: For the purpose of this Act, the supply of water for domestic purposes shall also include supply of water among others to commercial units, industrial establishments or institutions by the Authority;

- (g) "group residential connection" means a water connection to a user who owns or occupies more than four dwelling units for residential purposes and water is used for household purpose only;

18 of 2013. (h) "GWIL" means the Gujarat Water Infrastructure Limited, a Government company incorporated under the Companies Act, 2013;

- (i) "local authority" for the purpose of this Act means-

- (i) a municipal corporation, constituted under the Gujarat Provincial Municipal Corporations Act, 1949; **Bom.LIX of 1949.**
- (ii) a municipality, constituted under the Gujarat Municipalities Act, 1963; **Guj.34 of 1964.**
- (iii) a village panchayat, constituted under the Gujarat Panchayats Act, 1993; **Guj.18 of 1993.**
- (iv) a Cantonment area, constituted under the Cantonment Act, 2006; **41 of 2006.**
- (j) "prescribed" means prescribed by rules made under this Act;
- (k) "public domestic water source" means a source of water which is reserved for domestic purposes fully or partially;
- (l) "public water distribution system" means a water supply system as provided under section 3; and includes source, conveyance system including bulk and distribution pipe lines, valves and fixers, storage or cisterns, electrical installations, pumping stations, water meter, treatment plant, stand posts or taps and all other equipments, attachments or accessories connected thereto, through which water is supplied;
- (m) "regular connection size" means size of the connecting pipe which is normally granted by the Authority to a user in the public water distribution system;
- (n) "residential connection" means a water connection granted to a user who owns or occupies a dwelling unit for residential purpose and water is used for residential use only;
- (o) "residential use" means use of water from public water distribution system for the household purpose only;
- (p) "Schedule" means Schedule appended to this Act;
- (q) "user" means a person having a valid water connection for receiving domestic water supply from the public water distribution system.

3. A public water distribution system is a water supply system laid or owned by an Authority for supplying water, for domestic purposes to users. **Public Water Distribution System.**

4. (1) No authority other than a local authority, the Board or GWIL shall lay or own a public water distribution system in the State: **Public Water Distribution Authority.**

Provided that the State Government may, in public interest, by a notification in the *Official Gazette*, authorize any other agency to lay or own a public water distribution system for such area, as it may deem fit.

(2) The jurisdiction of the local authority shall be its local limits and the jurisdiction of the Board and GWIL shall be whole of the State:

Provided that where a local authority or an agency has laid a part of the public water distribution system outside its limits or area, the same shall be deemed to be within its jurisdiction for the purposes of this Act:

Provided further that the Board may, on a request made by a local authority, lay and operate public water distribution system within the limits of such local authority.

**Powers and
Functions of
Public Water
Distribution
Authority.**

5. (1) The Authority shall have following powers and functions, namely:-

I. Relating to water source –

- (a) to own a water source;
- (b) to get user right of a source from the Government or any other person;
- (c) to get water reserved or allocated from a source;
- (d) to procure water;
- (e) to develop a water source;
- (f) to get water from any source for its domestic use;

II. Relating to distribution system –

- (a) to plan, design, execute, operate, manage or maintain a public water distribution system;

III. Relating to water connection –

- (a) to grant or disconnect water connection;
- (b) to lay down size of connecting pipe to be granted to a user normally, and different sizes can be fixed different kinds of users;
- (c) to lay down terms and conditions for grant of water connection including residential connections or disconnection thereof; and different norms or terms and conditions may fixed for different kind of users; and
- (d) to fix water charges for different category of users subject to the condition that such charges shall not be less than the charges fixed by

the State Government for that category of users;

IV. Relating to protection of public water distribution system-

- (a) to prevent theft of water from public water distribution system;
 - (b) to prevent misuse and wastage of water;
 - (c) to prevent damage to the public water distribution system, its parts or components;
 - (d) to prevent tampering, obstruction, diversion, break or interference with flow of water or defacing of public water distribution system;
 - (e) to prevent unauthorized drawl of water;
 - (f) to prevent excess drawl of water; and
 - (g) to take such other measures to protect public water distribution system as may be required.
- (2) The Authority shall, subject to the provisions of this Act, have such other powers and functions to do a thing which may be necessary or expedient for carrying out the purposes of this Act.
- (3) It shall be the responsibility of the Authority to ensure or take adequate measures for protection of public water distribution system including prevention of damage or obstruction to the system or for prevention of unauthorized or excess drawl of water.

6.(1) The Authority may apply to the State Government for reservation of water from a source in the manner as may be prescribed.

**Reservation
of Public
Domestic
Water
Sources.**

(2) The State Government may, by an order, reserve a water source or such quantity from a water source, for such period and for such Authority or Authorities as it may consider necessary. The State Government may allocate water from a source either fully or partially, to different Authorities keeping in view the demands and requirements of the Authorities as it may deem fit:

Provided that the State Government may, while making an order under sub-section (2), specify whether such reservation is of permanent nature or for a specific period as maybe expedient.