

**THE NORTH-WEST FRONTIER PROVINCE RURAL AREA DRINKING WATER
SUPPLY SCHEME ACT, 1985.**

N.-W. F. P. ACT NO. VI OF 1985.

10th September, 1985.

[First published after having received the assent of the Governor of the North-West Frontier Province in the Gazette of North-West Frontier Province (Extraordinary), dated the 10th September, 1985].

**AN
ACT**

to make provisions for facilitating the execution of schemes for supply of drinking water in rural areas.

Preamble.

WHEREAS it is expedient to make provisions for facilitating the execution of schemes for supply of drinking water in rural area;

It is hereby enacted as follows:—

1. (1) This Act may be called the North-West Frontier Province Rural Drinking Water Supply Scheme Act, 1985.

Short title,
extent and
commencement.

- a. It shall extend to the whole of the North-West Frontier Province.
- b. It shall come into force at once.

2. In this Act, unless the context otherwise requires,—

Definitions.

- a. "Department" means the Public Health Engineering Department of Government;
- b. "Executive Engineer" means the Executive Engineer concerned of the Department;
- c. "Government" means the Government of the North-West Frontier Province;
- d. "rural areas" shall have the same meaning as assigned to it in the North-West Frontier Province Local Government Ordinance, 1979 (N.-W. F. P. Ord. IV of 1979);
- e. "Scheme" means a scheme made under this Act for the supply of water for drinking purposes to individuals in the rural areas; and

f. "Superintending Engineer" means the Superintending Engineer concerned of the Department.

3. Subject to availability of funds, there shall be executed and administered schemes for the supply of water for drinking purposes in rural areas.

Water supply
scheme.

4. (1) For the purposes of section 3 Government shall perform all functions and exercise all powers as may be necessary to implement and administer the schemes, including the power to impose and collect rates, Implementation fees and charges for water supply, in such manner as may be prescribed of scheme.

- 1. The Department shall maintain proper account of the receipts under sub-section (1) and credit the same to the Provincial revenue under the proper head of account.

2. Any rate, fee or charge imposed for water supply under this Act but not paid by the due date specified in that behalf shall be recoverable from the person or persons against whom it is outstanding as arrears of land revenue.

Prohibition to damage or disrupt water supply. 5. (1) No person shall damage or cause to be damaged any scheme made under this Act or un-authorisedly connect, disconnect or cut the pipe-lines meant for supply of water or commit any other act disturbing or damaging the water supply arranged under this Act.

(2) No person shall use or apply water made available to him under this Act for irrigation purpose.

(3) No person shall install or cause to be installed any kind of pump or mechanical device on the water supply line of drawing water.

Application for water connection. 6. (1) Any person desirous of having a water connection in a rural area where a scheme under this Act has been executed shall, in the prescribed manner and on payment of the prescribed fee, apply to the Executive Engineer for the purpose.

(2) All connections of water supply given under sub-section (1) shall be subject to payment of water charges at such rate as Government may from time to time fix or determine under section 4.

Disconnection of water supply 7. (1) The Executive Engineer shall disconnect or cause to be disconnected water supply of persons who fail to pay water charges in the prescribed manner.

(2) Water supply disconnected under sub-section (1) shall not be restored unless the defaulter makes payment of the arrears outstanding against him and also pays the fee, if any, prescribed for reconnection.

Appeal. 8. Any person aggrieved by an order passed under this Act may, within thirty days of the passing of the order, prefer an appeal to the Superintending Engineer and the decision of the Superintending Engineer on such appeal shall be final.

Offence. 9. (1) Contravention of any the provisions of this Act or the rules made thereunder shall be punishable with simple imprisonment which may extend to three months with fine which may extend to five hundred rupees or with both.

(2) Offences under this Act shall be bailable.

10. No court shall take cognizance of an offence under this Act except upon a complaint made in writing by the Executive Engineer or any other person authorised by him in this behalf. Cognizance of offence.

11. No suit, prosecution or other legal proceeding shall be taken against any person or Government for anything which is in good faith done or intended to be done under or in pursuance of this Act or any rule or order made thereunder. Indemnity.

12. Government may make rules for carrying into effect the provisions of this Act. Power to make rules.

13. The North-West Frontier Province Rural Areas Drinking Water Supply Scheme Ordinance, 1985 (N.-W. F. P. Ord. XI of 1985), is hereby repealed. Repeal.