THE BANGALORE WATER SUPPLY AND SEWERAGE ACT, 1964

ARRANGEMENT OF SECTIONS

Statement of Objects and Reasons:

Sections :

CHAPTER I
PRELIMINARY

1. Short title and commencement.
2. Definitions.

CHAPTER II
ESTABLISHMENT OF THE BOARD

3. Constitution and composition of the Bangalore Water Supply and Sewerage Board. 4. Term of office and conditions for re-appointment of members of Board.
5. Disqualification for becoming a member of the Board.
6. Removal or suspension of members.
7. Power of State Government to declare certain transactions void.
8. Temporary absence of members.
9. Incorporation.
10. Authentication of orders and other instruments of the Board.
11. Meetings of the Board.
12. Appointment of staff.
13. Appointment of consultants.
14. Consultative Committee.
15. General duties of the Board.

CHAPTER III
THE BOARD'S FINANCE, ACCOUNTS AND AUDIT 16. General principles for Board's finance.
17. Annual financial statement.
18. Restriction on unbudgeted expenditure.
19. Subventions to the Board.
20. Loans to the Board.
21. Power of Board to borrow.
22. Guarantee of loans.
23. Omitted.
24. Depreciation reserve.

24A. Improvement reserve.

24B. Payment of interest to Government.

25. Accounts and audit.

CHAPTER IV
WATER SUPPLY

26. Vesting of works in Board.
27. Construction of water works.
28. Trespass on water supply premises.
29. Prohibition of building over water mains.
30. Control over house connections.
31. Payment to be made for water supplied.
32. Private water supply for domestic consumption.
33. Supply of water for domestic purpose not to include any supply for certain specified purposes.
34. Water supply for domestic purposes not to be used for non-domestic purposes.

35. Power to supply water for non-domestic purposes.
36. Supply of water to the Bruhat Bangalore Mahanagara Palike and other local authorities. 37. Use of water for extinguishing fire.
38. Public water supply.
39. Power to lay mains.
40. Power to lay service pipes, etc.
41. Provision of fire hydrants.
42. Power to require owners of premises to set up pumps, etc.
43. Supply of water.
44. Laying of supply pipes, etc.
45. Power to require separate service pipes.
46. Stopcocks.
47. Power to provide meters.
48. Presumption as to correctness of meters.
49. Prohibition of waste or misuse of water.
50. Power to enter premises to detect waste or misuse of water.
51. Power to test water fittings.
52. Water pipes, etc., not to be placed where water will be polluted.
53. Power to cut off water supply.
54. Joint and several liability of owners and occupiers for offence in relation to water supply. 55. Non-liability of Board when supply reduced or not made in certain cases.
56. Rights of user of conduits, lines, etc.
57. Power of owner of premises to place pipes through land belonging to other persons. 58. Power to execute work after giving notice to the person liable.
59. Work to be done by licensed plumber.
60. Prohibition of certain acts.
61. Regulations regarding water supply.
61A. Bye-laws regarding water supply.
62. Punishment for certain offences.

CHAPTER V

SEWERS AND SEWERAGE

63. Vesting of sewers, etc., in Board.
64. Control of sewers and sewage disposal works.
65. Certain matters not to be passed into Board sewers.
66. Application by owners and occupiers to drain into Board sewers.
67. Drainage of undrained premises.
68. New premises not to be erected without drains.
69. Power to drain group or block premises by combined operations.
70. Power of Board to close or limit the use of private drains in certain cases. 71. Use of drain by a person other than the owners.
72. Sewage and rain water drains to be distinct.
72A. Obligation to provide rain water harvesting structure
73. Power to require owner to carry out certain works for satisfactory drainage.
74. Appointment of places for the emptying of sewers and disposal of sewage.
75. Connection with sewers not to be made without permission.
76. Buildings and private streets not to be erected or constructed over sewers without permission.
77. Rights of user of property for sewers.
78. Power of owner of premises to lay sewer through land belonging to other persons. 79. Power to execute work after giving notice to the person liable.

80. Power to affix shafts, etc., for ventilation of sewer or cesspool.
81. Power to examine and test sewers, etc., believed to be defective.
82. Work to be done by licensed plumber.
83. Prohibition of certain acts.
84. Regulations regarding sewerage.
84A. Bye-laws regarding sewerage.
85. Punishment for certain offences.

CHAPTER VI

MISCELLANEOUS 86. Annual reports, statistics and returns.
87. Power to make rules.
88. Regulations.
89. Directions by the State Government.
89A. Collection of capital contribution from the beneficiary or borrowing loan etc., in respect of any project
90. Licenses and written permissions.
91. Powers of entry and inspection.
92. Power to enter land adjoining land in relation to any work.
93. Breaking into buildings.
94. Time of making entry.
95. Consent ordinarily to be obtained.
96. Regard to be had to social or religious usages.
97. Prohibition or obstruction or molestation in execution of work.
98. Notices, etc., to fix reasonable time.
99. Signature on notices, etc., may be stamped.
100. Notices, etc., by whom to be served or issued.
101. Service of notices, etc.
102. Service of bills for charges or notice of demand by ordinary posts.
103. Power in case of non-compliance with notice, etc.
104. Liability of occupier to pay in default of owner.
105. Execution of work by occupier in default of owner and deduction of expenses from rent. 106. Relief to agent and trustees.
107. Compensation to be paid by offenders for damage caused by them.
108. Mode of recovery of dues.
109. General penalty.
109A. Penalty of pro-rata charges for unauthorized connections.
110. Offences by companies.
111. Prosecutions.
112. Composition of offences.
113. Arrest of offenders.
114. Duties of police officers and employees of the Corporation.
115. Validity of notices and other documents.
116. Admissibility of document or entry as evidence.
117. Evidence of officers of Board.
118. Delegation of powers.
119. Chief Controlling Authority.
120. Appeals.
121. Revision.

122. Rules and regulations to be laid before State Legislature, etc.
123. Provisions as to employees of the Bruhat Bangalore Mahanagara Palike employed in connection with water supply or sewerage undertakings.
124. Members, officers and servants of the Board to be public servants.
125. Protection of action of the Board, etc.
126. Notice to be given of suits.
127. Continuation of appointments, notifications, rules, bye-laws, etc.
128. Amendment of Mysore Act LXIX of 1949.
129. Orders for bringing this Act into force.

SCHEDULE.

Summary of Amendments

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STATEMENTS OF OBJECTS AND REASONS

I

Act 36 of 1964.—At present the Head-works and the Rising Main of the Bangalore Water Supply Scheme are under the control of Government while the distribution of water is under the control of the Bangalore Municipal Corporation. The present water supply being inadequate, Government have sanctioned the Cauvery Water Supply Scheme at an estimated cost of Rs. 26 crores. It will be necessary to change the present distribution system wherever necessary to suit the proposed water supply. As the supply of water from the new scheme will be adequate, it will be necessary to improve the present underground drainage system to make use of the water to the maximum extent. It is, therefore, necessary to entrust the administration of water supply and sewerage to the same Authority. The World Bank Authorities who will be financing the Water Supply Scheme have desired that the administration of both the Water Supply and Drainage in Bangalore be entrusted to an independent and autonomous body. The proposed Board will be solely in charge of the Water Supply and Underground drainage in Bangalore. The present Bill provides for constitution of Water Supply and Sewerage Board for Bangalore.

II

Amending Act 6 of 1966.—At present the Bangalore Water Supply and Sewerage Board maintains the water supply and sewerage system in Bangalore and it will shortly embark upon large scale developments in connection with the long range Water Supply and Sewerage Project involving very heavy financial commitments. In order to effectively carry out the functions and responsibilities entrusted to it, the Board will have to be given a larger measures of autonomy than is now contemplated by the Bangalore Water Supply and Sewerage Act, 1964. It is also considered that the accounting system of the Board should be based on commercial principles in order to provide information required by an undertaking of this character, with provision for depreciation as a charge against revenues every year. Statutory provision is necessary to enable the Board to pay to Government interest on the value of the assets transferred to it by the Government. Certain other minor amendments to improve the working of the Board are also found desirable.

Hence this Bill.

III

Amending Act 10 of 1966.—It is considered necessary to amend the Bruhat Bangalore Mahanagara Municipal Bruhat Bangalore Mahanagara Palike Act, 1949, in certain respects, in order to afford more amenities to the public, to augment the resources of the corporation and to streamline the administration of the Bruhat Bangalore Mahanagara Palike by avoiding delays.

Hence this Bill.

IV

Amending Act 18 of 1984.—The Public Accounts Committee has suggested that in order to have better financial control and with a view to further streamline its accounts procedures, the audit of the Bangalore Water Supply and Sewerage Board could be entrusted to the Comptroller and Auditor General of India, Accordingly section 25 of the Bangalore Water Supply and Sewerage Board Act is proposed to be amended, empowering Government to appoint auditors of its choice.

Section 32 of the Act provides for supply of water for domestic purposes. Section 33 specifies that the supply of water for flushing latrines or drains and for all baths other than swimming baths or public baths shall be deemed to include the supply of water for domestic purposes. Section 35 provides for supply of water for non-domestic purposes. The water that is being supplied to hotels in Bangalore City are charged at the rates prescribed for non-domestic purposes. Hence in writ petitions Nos. 6160 of 1974 and others filed by some hotels, the Hon'ble High Court of Karnataka had directed the Board to determine the percentage of water utilised for domestic and non-domestic purposes respectively, in respect of each of the petitioners' establishments from the date of the writ petition. Since the hotels are being run on commercial lines, it is necessary that the entire water supply should be charged at the non-domestic rates and to validate the collections already made at these rates.

Hence this Bill.

V

Amending Act 19 of 2009.— It is considered necessary to provide for making it mandatory to build rainwater harvesting structure by households in order to preserve the groundwater by amending the Bangalore Water Supply and Sewerage Act, 1964.

Hence the Bill.

(LA Bill No.27 of 2009, File No. DPAL 6 Shasana 2009)

[Entry 5 and 17 of List II of the Seventh Schedule to the Constitution of India.]

VI

Amending Act 15 of 2010.- A Committee constituted under the chairmanship of the Chief Engineer (retired) reviewed the provisions of the Bangalore Water Supply and Sewerage Board Act, 1964 and the provisions of the Water Supply and Sewerage Acts of several cities viz., Chennai, Hyderabad and Delhi with a view to adopt best practices useful to the Board and has made certain recommendations. Considering those recommendations it is considered necessary to amend the Bangalore Water Supply and Sewerage Board Act, 1964 to provide for,-

(a) extension of the provisions of the Act to whole of the Bruhat Bangalore Mahanagara Palike area;

(b) enhancement of the maximum number of members of the Board to nine;

(c) empowering the Board to insist on owners or occupiers to adopt water conservation methods like rain water harvesting and recycling of waste water for non-potable or potable purpose;

(d) enhancement of penalties on various offences punishable under this Act;

(e) acquisition of land for the purposes of the Board; and

(f) certain consequential amendments;

Opportunity is also taken to amend,-

(i) the Karnataka Municipal Corporations Act, 1976 to exempt property taxes on buildings of the Board; and

(ii) the Karnataka Ground Water (Regulation for protection of sources of drinking water) Act, 1999 to appoint an officer not below the rank of Assistant Commissioner belonging to the Bangalore Water Supply and Sewerage Board in respect of Bangalore and an officer of KUWSS Board in respect of areas falling under other Municipal Corporations and Municipal Council to act as appropriate authority under the said Act.

Hence, the Bill.

[L.A. Bill No. 42 of 2009, File No. DPAL 32 Shasana 2009]

[Entry 32 of List II of the Seventh Schedule to the Constitution of India.]

VII

Amending Act 32 of 2010.- In Government Order No.UDD 27 MNI 2000, dated:26-12-2003, Water Supply and Sewerage Project was sanctioned for implementation in seven city municipal councils of Bommanahalli, Byatarayanapura, K.R.Puram, Mahadevapura, Rajarajeshwari Nagara, Dasarahalli, Yelahanka and one town municipal council of Kengeri of the Bangalore Metropolitan Area, at a total cost of Rs.658.65 crores.

In Govt. order No.UDD 36 MNI 2004, dated:13-02-2004 the structure for the collection of beneficiary capital contribution from different categories of properties in the 7 CMC's and one TMC under reference has been approved. It has also been ordered that the Beneficiary capital contribution collected by the Urban Local Bodies should be kept in greater Bangalore water supply and sanitation policy, beneficiary capital account to be held jointly by the concerned Urban Local Bodies and Karnataka Urban infrastructure Development Finance Bruhat Bangalore Mahanagara Palike for further transfer to the Bangalore Water Supply and Sewerage Board.

But, this Government order was challenged by a petitioner in writ petition No. 322/2008 in the High Court of Karnataka, on the ground that the said Government order to collect beneficiary capital contribution are not supported by Law. Therefore, the Bangalore Water Supply and Sewerage Board was not able to defend the impugned Government orders in the above writ petition.

Therefore, it is considered necessary to amend the Bangalore Water Supply and Sewerage Act, 1964 to provide for empowering the Government to issue directions to the Bangalore Water Supply and Sewerage Board to levy and collect the beneficiary capital contribution through Local bodies towards the water supply and sanitation projects. And also to validate the beneficiary capital contribution collected with effect

form 1st January 2003, by the Local authority in accordance with Government order referred above.

Hence the Bill,

[L.A. Bill No. 16 of 2010, File No. DPAL 54 Shasana 2009]

[Entries 17 and 32 of List II of the Seventh Schedule to the Constitution of India.]

VIII

Amending Act 05 of 2011.- It is considered necessary to provide for making it mandatory to build rainwater harvesting structure by households in order to preserve the groundwater by amending the Bangalore Water Supply and Sewerage Act, 1964.

Hence the Bill.

[L.A. Bill No.7 of 2011, File No. Samvyashae 34 Shasana 2010]

[Entries 5 and 32 of List II of the Seventh Schedule to the Constitution of India.]

IX

Amending Act 28 of 2013.- It is considered necessary to amend the Bangalore Water Supply and Sewerage Act, 1964 (Karnataka Act 36 of 1964) to provide for,- Collection of up to 50% of the pro-rata charges in addition to the penalties and pro-rata charges payable from the persons having unauthorized connections subject to such conditions as may be specified in the regulations.

Hence the Bill

[L.A. Bill No.1 of 2013, File No. Samvyashae 62 Shasana 2012]

[Entries 5 and 17 of List II of the Seventh Schedule to the Constitution of India.]

X

Amending Act 25 of 2016.- The proposed amendment is necessitated in view of the Karnataka Housing Board and Bangalore Development Authority have been allotting sites in terms of square meters measuring 216 square meters and 108 square meters in favour of their successful applicants which is marginally less than 2400 square feet and 1200 square feet respectively. In this background, it is considered necessary to amend section 72-A of the Bangalore Water Supply and Sewerage Act, 1964 to make compulsory of providing Rain Water Harvesting in sital area of not less than 216 square meters and every owner who propose to construct a building on a sital area of not less than 108 square meters.

Hence, the Bill.

[L.A. Bill No. 18 of 2016, File No. Samvyashae 56 Shasana 2015]

[entries 5 and 17 of List II of the Seventh Schedule to the Constitution of India.]

XI

Amending Act 02 of 2017.- It is considered necessary to amend section 15 of the Bangalore Water Supply and Sewerage Board Act, 1964, to empower the Board to prepare and carryout scheme,-

(a) with the approval of the Government at cabinet level in respect of any estimates above ten crore rupees, irrespective of source of funds; and

(b) with the approval of the Government Administrative Department level to estimates of less than ten crore rupees with Government grants or loan as source of funds.

Hence the Bill.

[L.A. Bill No.39 of 2016, File No. Samvyashae 49 Shasana 2016]

[entries 6, 17 and 32 of List II of the Seventh Schedule to the Constitution of India]

XII

Amending Act 29 of2021.- It is considered necessary to amend the Bangalore Water Supply and Sewerage Act, 1964 (Karnataka Act 36 of 1964) in order to,-

(i) reduce the dependency on Cauvery water or underground water;
(ii) reduce the flow of storm water drains;
(iii) mitigate urban flooding;
(iv) reduce non-point source pollution of surface and ground water;
(v) manage the summer peak demand through ground water charging and ground water table or aquifer;
(vi) provide fresh water source through rain water harvesting, where the ground water quality is poor; and
(vii) mandate rain water harvesting as the rain harvested water is free, readily available and has no distribution cost.

Hence the Bill.

[L.A. Bill No. 23 of 2021, File No. Samvyashae 25 Shasana 2021]
[Entry 5 and 17 of List II of the Seventh Schedule to the Constitution of India.] [Published in Karnataka Gazette Extra-ordinary No. 820 in part-IVA dated: 07.10.2021]

XIII

Amendment Act 61 of 2025:- It is considered necessary to amend the following Acts for decriminalising and rationalising offences and to further enhance trust-based governance for ease of living and doing business, namely:-

1. the Bangalore Water Supply and Sewerage) Act, 1964 (Karnataka Act 36 of 1964);
2. the Karnataka Urban Development Authorities Act, 1987 (Karnataka Act 34 of 1987);
3. the Karnataka Agricultural produce marketing (Regulation and Development) Act, 1966 (Karnataka Act 27 of 1966);
4. In the Karnataka Warehouse Act, 1961 (Karnataka Act 11 of 1962);
5. the Karnataka Tourism Trade (Facilitation and Regulation) Act, 2015 (Karnataka Act 21 of 2015);
6. the Karnataka Industrial Areas Development Act, 1966 (Karnataka Act 18 of 1966);
7. the Karnataka Gram Swaraj and Panchayatharaj Act, 1993 (Karnataka Act 14 of 1993);
8. the Karnataka Lifts, Escalators and Passenger Conveyors Act, 2012 (Karnataka Act 9 of 2013);
9. the Karnataka Municipalities Act, 1964 (Karnataka Act 22 of 1964);
10. the Karnataka Municipal Corporations Act, 1976 (Karnataka Act 14 of 1977);
11. the Karnataka Town and Country Planning Act, 1961 (Karnataka Act 11 of 1963) ;and
12. the Karnataka Industries (Facilitation) Act, 2002 (Karnataka Act 45 of 2003

Hence, the Bill.

[L.A. Bill No. 59 of 2025, File No. SAMVYASHAE 65 SHASANA 2025]

[Entries 5, 6, 28, 32 of List II and entry 20 of List III of the Seventh

Schedule to the Constitution of India]

dated:12.09.2025]

[1][KARNATAKA] [1] ACT No. 36 OF 1964

THE BANGALORE WATER SUPPLY AND SEWERAGE ACT, 1964

(*Received the assent of the President on the Twenty-seventh day of August, 1964.*)

(As amended by Karnataka Acts 6 of 1966, 10 of 1966, 18 of 1984, 19 of 2009, 15 of 2010, 32 of 2010 , 5 of 2011, 28 of 2013, 25 of 2016, 2 of 2017, 29 of 2021 and 61 of 2025)

An Act to make provision for water supply, sewerage and sewage disposal in Bangalore Metropolitan area and for matters connected therewith.

WHEREAS it is expedient to make provision for water supply, sewerage and sewage disposal in Bangalore Metropolitan area and for matters connected therewith;

BE it enacted by the [1][Karnataka State][1] Legislature in the Fifteenth Year of the Republic of India as follows:—

1. Adopted by the Karnataka Adaptation of laws order 1973 w.e.f. 1.11.1973.

CHAPTER I

PRELIMINARY

1. Short title and commencement.—(1) This Act may be called the Bangalore Water Supply and Sewerage Act, 1964.

(2) Chapters I, II, III and VI of this Act shall come into force at once, and Chapter IV and Chapter V of this Act shall respectively come into force on such [1][dates][1] as the State Government may by notification in the official Gazette, appoint.

1. Chapter 4 came into force w.e.f. 1.12.1964 and Chapter 5 w.e.f. 2.12.1964.

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

[3][(1) 'Apartment' means a part of the property intended for any type of independent use including one or more room or enclosed spaces located on one or more floors (or part or parts thereof) in a building, intended to be used for residential purposes and with a direct exit to public street, road or highway or a common area leading to such street, road or highway;

(1a) 'Bangalore Metropolitan Area'means the area falling within the jurisdiction of the Bruhat Bangalore Mahanagara Palike and includes such other areas adjacent thereto as the State Government may, by notification, from time to time specify;][3]

(2) 'Board' means the Bangalore Water Supply and Sewerage Board constituted under this Act;

[3][(3) 'Bruhat Bangalore Mahanagara' means the areas falling within the jurisdiction of the Bruhat Bangalore Mahanagara Palike constituted under the Karnataka Municipal Corporations Act, 1976;] [3]

[1][(3A) "bye-laws" means bye-laws made by the Board under this Act;][1]

(4) 'Chief Engineer' means the officer appointed or authorised by the Board to perform the functions of the Chief Engineer under this Act and includes an officer placed in additional charge of the duties of the Chief Engineer;

[3][(5) 'Building' includes a residential building, house, out house, apartment, high rise building, commercial building, temporary structure, industrial building, stable, latrine,

urinal, shed, hut or any other structure whether of masonry bricks, wood, mud, metal or other materials but does not include any portable shelter;][3]

(6) '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 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 a stopcock, that stopcock; and

(ii) any stopcock fitted on the communication pipe between the end thereof and the main;

[3][(7)'high rise building' means buildings having more than four floors i.e., ground floor + 3 floors and above;

Explanation.- Multistoried building is also known in common parlance as high rise building.] [3]

(8) 'drain' includes sewer, tunnel, a culvert, a ditch, a channel and any other device for carrying off sewage, offensive matter, polluted water, waste water, rain water or sub-soil water;

[4][(8a)'Mahanagara Palike' means the Bruhat Bangalore Mahanagara Palike;] [4]

(9) 'land' includes benefits to arise out of land, things attached to the earth or permanently fastened to anything attached to the earth and rights created by law over any street;

(10) 'licensed plumber' means a person licensed under the provisions of this Act as a plumber;

(11) 'main' means a pipe laid [1][x x x][1] 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;

(13) 'occupier' includes,—

(*a*) any person who for the time being is paying or is liable to pay to the owner the rent or any portion of the rent of the land or building in respect of which such rent is paid or is payable;

(*b*) an owner in occupation of, or otherwise using his land or building;

(*c*) a rent-free tenant of any land or building;

(*d*) a licensee in occupation of any land or building; and

(*e*) any person who is liable to pay to the owner damages for the use and occupation of any land or building;

(14) 'owner' includes a person who for the time being is receiving or is entitled to receive, the rent of any land or building whether on his own account or on account of

himself and others or as an agent, trustee, guardian or receiver for any other person or who should so receive the rent or be entitled to receive it if the land or building or part thereof were let to a tenant;

(15) 'premises' means any land or building or part of a building and includes,—

(*a*) the garden, ground and out-houses, if any, appertaining to a building or part of a building; and

(*b*) any fittings affixed to a building or part of a building for the more beneficial enjoyment thereof;

(16) 'prescribed' means prescribed by rules or regulations as the case may be made under this Act;

(17) 'prescribed officer' means the officer prescribed by regulations made under this Act;

[1] [(17a)'Pro-rata charges' means proportionate charges towards cost of improvement of water supply and sewerage systems levied by the Board from time to time payable by owner or occupier or developer of any building;][1]

(18) 'regulations' means regulations made by the Board under this Act;

(19) 'rules' means rules made by the State Government under this Act;

(20) 'Sanitary Engineer' means the officer appointed by the Board to be the Sanitary Engineer and includes any officer placed in additional charge of the duties of the Sanitary Engineer;

(21) '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;

(22) 'sewage' means night soil and other contents of latrines, urinals, cesspools or drains, and polluted water from sinks, bathrooms, stables, cattle sheds and other like places, and includes trade effluents and discharges from manufactories of all kinds;

(23) 'sewer' means a closed conduit for carrying off sewage, offensive matter, polluted water, waste water or sub-soil water;

(24) 'shed' means a slight or temporary structure for shade or shelter;

(25) 'street' includes any way, road, lane, square, court, alley, gully, passage, whether a throughfare or not and whether built upon or not, over which the public have a right of way and also the roadway or footway over any bridge or causeway;

(26) 'supply pipe' means so much of any service pipe as is not a communication pipe;

(27) 'trade effluent' means any liquid either with or without particles of matter in suspension therein, which is wholly or in part produced in the course of any trade or industry carried on at trade premises, and in relation to any trade premises means any such liquid as aforesaid which is so produced in the course of any trade industry carried on at those premises, but does not include domestic sewage;

(28) 'trade premises' means any premises used or intended to be used for carrying on any trade or industry;

(29) 'trade refuse' means the refuse of any trade or industry;

(30) '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;

(31) 'vehicle' includes a carriage, cart, van, dray, truck, hand-cart, bicycle, cycle-rikshaw, auto-rikshaw, motor vehicle and every wheeled conveyance which is used or is capable of being used on a street;

(32) 'water course' includes any river, stream or channel whether natural or artificial;

(33) '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;

(34) 'Water-Supply Engineer' means the officer appointed by the Board to be the Water-Supply Engineer, and includes any officer placed in additional charge of the duties of the Water Supply Engineer;

(35) 'water works' includes all lakes, tanks, streams, cisterns, springs, pumps, wells, reservoirs, aqueducts, water trucks, sluices, mains, pipes, culverts, hydrants, stand pipes and conduits and all lands, buildings, machinery, bridges and things used for, or intended for the purpose of, supplying water.

1. Inserted by Act 6 of 1966 w.e.f. 17.3.1966.
2. Omitted by Act 6 of 1966 w.e.f. 17.3.1966.
3. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.
4. 1. Inserted by Act 15 of 2010 w.e.f. 16.04.2010.

CHAPTER II

ESTABLISHMENT OF THE BOARD

3. Constitution and composition of the Bangalore Water Supply and Sewerage Board.—(1) The State Government shall as soon as may be after the commencement of this Chapter, constitute by notification in the official Gazette a Board by the name of "The Bangalore Water Supply and Sewerage Board".

2[(2) The Board shall consist of not less than three and not more than nine members appointed by the State Government.] 2

(3) Of the members,—

(*a*) one shall be a person who has experience of, and has shown capacity in commercial matters and administration;

(*b*) [2][two][2] shall be [1][a person with wide experience of civil engineering works preferably in the field of public health engineering with reference to water supply, sewerage and sewage disposal and industrial wastes][1]; and

(*c*) one shall be a person who has experience of accounting and financial matters in a public utility undertaking, preferably a water supply or sewage disposal undertaking.

(4) One of the members possessing any of the qualifications specified in sub-section (3) shall be appointed by the State Government to be the Chairman of the Board.

[2][(5) A person shall be disqualified for being appointed or being a member of the Board if he is a member of the Parliament or of any State Legislature or any local authority.] [2]

(6) No act done by the Board shall be called in question on the ground only of the existence of any vacancy in, or defect in the constitution of, the Board.

1. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.
2. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.

4. Term of office and conditions for re-appointment of members of Board.—The Chairman and other members of the Board shall hold office for such period, and shall be eligible for re-appointment under such conditions, as may be prescribed by the rules.

5. [1][Disqualification for becoming a member of the Board.][1]—[1][(1) A person shall be disqualified for being appointed as a member of the Board, and for being a member thereof, if, save as hereinafter provided, he has directly or indirectly by himself or his partner any share or interest in any work done by order of the Board or in any contract or employment with, or under, or by, or on behalf of, the Board.][1]

(2) Nothing contained in sub-section (1) shall prevent a member from acquiring or holding any share or interest in any firm or company [2][x x x][2]:

Provided that if the Board has entered into, or is about to enter into any contract or agreement with any such firm or company in which a member holds any share or interest, he shall disclose the fact and nature of such interest and he shall not be entitled to vote on any decision of the Board relating to such contract or agreement.

(3) A disclosure referred to in the proviso to sub-section (2) shall forthwith be recorded in the minutes of the Board and communicated to the State Government and the State Government may thereupon give such directions as it may deem proper.

1. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.
2. Omitted by Act 6 of 1966 w.e.f. 17.3.1966.

6. Removal or suspension of members.—(1) The State Government may suspend from office for such period as it thinks fit or remove from office any member of the Board who,—

(*a*) is of unsound mind and stands so declared by a competent court; or

(*b*) is an undischarged insolvent; or

[1][(*c*) becomes subject to any disqualification specified in sub-section (1) of section 5.][1]

(*d*) becomes or seeks to become a member of Parliament or any State Legislature or any local authority; or

(*e*) in the opinion of the State Government,—

(i) has refused to act; or

(ii) has become incapable of acting; or

(iii) has so abused his position as a member as to render his continuance on the Board detrimental to the interests of the general public; or

(iv) is otherwise unfit to continue as a member; or

(*f*) is convicted of an offence involving moral turpitude.

(2) The State Government may suspend any member pending an inquiry against him.

(3) No order or removal shall be made under this section unless the member concerned has been given an opportunity to submit his explanation to the State Government and when such order is passed, the seat of the member removed shall become vacant and another member may be appointed under section 3 to fill up the vacancy.

(4) A member who has been removed shall not be eligible for re-appointment as member or in any other capacity to the Board.

(5) If the Board fails to carry out its functions, or refuses or fails to follow [1][the directions issued by the State Government under section 89][1], the State Government may remove the Chairman and the members of the Board and appoint a Chairman and members in their places.

1. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.

7. Power of State Government to declare certain transactions void.—(1) The State Government may declare void any transaction in connection with which a member has been removed under [1][x x x][1] clause (*e*) of sub-section (1) of section 6 after considering the report on the facts of the case made to it by a District Judge nominated by it in this behalf.

(2) A District Judge nominated under sub-section (1) shall, before making his report under that sub-section to the State Government in relation to any transaction, give all parties interested in the transaction a reasonable opportunity of being heard.

(3) Where a transaction is declared void under this section it shall not be enforceable by any party to the transaction but the provisions of section 65 of the Indian Contract Act, 1872, shall, so far as may be, apply to such transaction as they apply to an agreement which is discovered to be void or a contract which becomes void.

(4) The decision of the State Government declaring any transaction void under this section shall be final and shall not be called in question in any Court.

1. Omitted by Act 6 of 1966 w.e.f. 17.3.1966.

8. Temporary absence of members.—If the Chairman or any other member of the Board is by infirmity or otherwise rendered temporarily incapable of carrying out his duties or is absent on leave or otherwise in circumstances not involving the vacation of his appointment, the State Government may appoint another person to officiate for him and carry out his functions under this Act or any rule or regulation made thereunder.

9. Incorporation of Board.—(1) The Board shall be a body corporate having perpetual succession and a common seal, with power subject to the provisions of this Act and the rules made thereunder, to acquire and hold and dispose of property, both movable and immovable, and shall by the said name sue and be sued.

(2) For the purposes of this Act and the Land Acquisition Act, 1894, the Board shall be deemed to be a local authority.

10. Authentication of orders and other instruments of the Board.—All orders and decisions of the Board shall be authenticated by the signature of the Chairman or any other member authorised by the Board in this behalf and all other instruments issued by the Board shall be authenticated by the signature of such member or officer of the Board as may in like manner be authorised in this behalf.

11. Meetings of the Board.—(1) The Board shall hold ordinary meetings at such intervals as may be provided in the regulations; and a meeting may be convened by the Chairman at any other time for the transaction of urgent business.

(2) The number of members necessary to constitute a quorum at a meeting shall be such as may be provided in the regulations.

[1][**12. Appointment of staff.-** The Board may appoint a Chief Administrative Officer cum Secretary, Engineer in Chief, Chief Engineers, Sanitary Engineers, Water Supply Engineers and such other Engineers, Officers and servants as may be required to enable the Board to carry out its functions under this Act:

Provided that the appointment of the Chief Administrative Officer-cum-Secretary, Engineer in Chief, Chief Engineers, Additional Chief Engineers, Executive Engineers shall be made with the prior approval of the State Government.] [1]

1. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.

13. Appointment of [1][consultants][1].—The Board may, subject to such conditions as may be prescribed by [1][regulations][1], from time to time, appoint qualified persons to be [1][consultants][1] to the Board and pay them such remuneration as it thinks proper.

1. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.

14. Consultative Committee.—(1) The State Government shall constitute a Consultative Committee consisting of members of the Board and such other persons being not less than three and not more than nine as the State Government may appoint after consultation with such representatives or bodies representative of the following interests as the State Government thinks fit, that is to say, the Municipal Bruhat Bangalore Mahanagara Palike of the Bruhat Bangalore Mahanagara, the Bangalore City Improvement Trust Board and consumers of water.

(2) The Chairman of the Board shall be *ex-officio* Chairman of the Consultative Committee.

(3) The Consultative Committee shall meet at least once in every three months.

(4) The functions of the Consultative Committee shall be as follows:—

(i) to advise the Board on major questions of policy and major schemes;

(ii) to review the progress and the work of the Board from time to time;

(iii) to consider such other matters as the Board may place before it; and

(iv) to consider such matters as the State Government may by rules prescribe.

(5) The Board shall place before the Consultative Committee the annual financial statement and supplementary statement, if any, before submitting such statement to the State Government under section 17 together with copies of the report and proceedings.

15. General duties of the Board.—(1) The Board shall be charged with the general duty of providing a supply and improving the existing supply of water in the Bangalore Metropolitan Area and of making adequate provision for the sewerage and the disposal of the sewage in the Bangalore Metropolitan Area and for the efficient discharge of such duty the Board shall exercise such powers and perform such functions as are conferred or imposed by or under this Act.

(2) Without prejudice to the provisions of sub-section (1), it shall be the duty of the Board to take steps from time to time,—

(*a*) for ascertaining the sufficiency and wholesomeness of water supplies within the Bangalore Metropolitan Area;

(*b*) for preparing and carrying out schemes [1][x x x][1] for the supply of wholesome water for domestic purposes within the Bangalore Metropolitan Area;

(*c*) for preparing and carrying out schemes [1][x x x][1], for the proper sewerage of, and the disposal of the sewage of, the Bangalore Metropolitan Area.

[4][[2][Provided that no scheme under clause (b) or (c) estimated to the cost as specified in column (2) of the Table below shall be carried out by the Board without approval of the Authority specified in column(3) thereof, namely:-

Table

SL. No. (1)	Scheme (2)	Approving Authority (3)

(1)	A scheme costing more than rupees ten crores irrespective of source of funding	Government Cabinet Level
(2)	A scheme costing less than rupees ten crores with Government grant or loan as source of funds	Government (Administrative Department)][2]][4]

(3) A scheme under clause (*b*) of sub-section (2) shall *inter alia* make provision,—

(*a*) for a supply of wholesome water in pipes to every part of the Bangalore Metropolitan Area in which there are houses, for the domestic purposes of the occupants

thereof, and for taking the pipes affording that supply to such point or points as will enable the houses to be connected thereto at a reasonable cost, so however, that this clause shall not require the Board to do anything which is not practicable at a reasonable cost or to provide such a supply to any part of the Bangalore Metropolitan Area where such a supply is already available at such point or points aforesaid;

(*b*) for a supply, as far as possible, of wholesome water otherwise than in pipes in every part of the Bangalore Metropolitan Area in which there are houses, for the domestic purposes of the occupants thereof, and to which it is not practicable to provide a supply in pipes at a reasonable cost, and in which danger to health arises from the insufficiency or unwholesomeness of the existing supply and a public supply is required and can be provided at a reasonable cost, and for securing that such supply is available within a reasonable distance of every house in that part.

(4) If any question arises under clause (*a*) of sub-section (3) as to whether anything is or is not practicable at a reasonable cost or as to the point or points to which pipes must be taken in order to enable houses to be connected to them at reasonable cost, or under clause (*b*) of the said sub-section, as to whether a public supply can be provided at a reasonable cost, the State Government shall determine that question and thereupon the Board shall give effect to that determination.

(5) Without prejudice to the provisions of sub-sections (1), (2) and (3), the Board shall, for the purposes of securing, as far as is reasonably practicable, that every house has a sufficient supply of wholesome water for domestic purposes, exercise its powers under this Act of requiring the owners of houses to provide a supply of water thereto.

[1][(6) The Board shall also have power to insist on owner, occupier or builder to adopt water conservation methods like rain water harvesting and recycling of waste water for non potable or potable purposes.

(7) For the efficient discharge of such duties, the Board shall exercise such powers and perform such functions as are conferred or imposed by or under this Act.] [1]

1. Omitted by Act 6 of 1966 w.e.f. 17.3.1966.

2. Inserted by Act 6 of 1966 w.e.f. 17.3.1966.

3. Inserted by Act 15 of 2010 w.e.f. 16.04.2010.

4. substituted by Act 2 of 2017 w.e.f 4.1.2017

CHAPTER III

THE BOARD'S FINANCE, ACCOUNTS AND AUDIT

1[16. General principles for Board's finance.—[2] [(1) For carrying on its operations under this Act, the Board shall levy rates, fees, rentals, prorata charges, deposits, taxes, and other charges and shall vary such rates, fees, rentals, prorata charges, deposits, taxes and other charges from time to time in order to provide sufficient revenue,-

(a) to cover operating expenses, taxes, interest payments and to provide for adequate maintenance and depreciation, contribution to pension fund including all expenses incurred during the year;

(b) to meet repayment of loans and other borrowings;

(c) to finance year to year improvement; and

(d) to provide for such other purposes beneficial to the promotion of water supply and disposal of sewage in the Bangalore Metropolitan area as the Board may determine.][2]

(2) No part of the revenues of the Board, after meeting the expenses referred to in clauses (*a*), (*b*) and (*c*) of sub-section (1) shall be used to augment the reserves of the Board other than the reserves referred to in sections 24 and 24-A or for the general purposes of the Board including expenses in connection with capital works, other than improvement works.]1

1. Subsection 1 and 2 Substituted by Act 6 of 1966 w.e.f. 10.9.1964.
2. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.

17. Annual financial statement.—(1) In February of each year the Board shall submit to the State Government a statement in the form prescribed by [1][regulations][1] of the estimated capital and revenue receipts and expenditure for the ensuing year.

(2) The said statement shall include a statement of the salaries of members, officers and servants of the Board and of such other particulars as may be prescribed by rules.

(3) The State Government shall as soon as may be after receipt of the said statement cause it to be laid on the table of both Houses of the State Legislature; and the said statement shall be open to discussion therein, but shall not be subject to vote.

(4) The Board shall take into consideration any comments made on the said statement in the State Legislature.

(5) The Board may at any time during the year in respect of which a statement under sub-section (1) has been submitted, submit to the State Government a supplementary statement, and all the provisions of this section shall apply to such statement as they apply to the statement under the said sub-section.

18. Restriction on unbudgeted expenditure.—(1) Save where in the opinion of the Board circumstances of extreme urgency have arisen, no sum exceeding [1][one lakh of rupees][1] on account of recurring expenditure or exceeding [1][five lakhs of rupees][1] on account of non-recurring expenditure shall be expended by the Board in any year of account unless such sum has been included in a statement submitted under sub-section (1) or sub-section (5) of section 17.

(2) Where any such sum is expended under circumstances of extreme urgency, a report thereon indicating the source from which it is proposed to meet the expenditure shall be made so soon as practicable to the State Government.

1. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.

19. Subventions to the Board.—The State Government may, with the approval of the State Legislature from time to time make subventions to the Board for the purposes of this Act on such terms and conditions as the State Government may determine.

20. Loans to the Board.—The State Government may, from time to time, advance loans to the Board on such terms and conditions, not inconsistent with the provisions of this Act, as the State Government may determine.

21. Power of Board to borrow.—[1][(1)The Board shall not borrow any loan without the prior approval of the State Government.] [1]

(2) Rules made by the State Government for the purposes of this section may empower the Board to borrow by the issue of bonds or stocks or otherwise and to make arrangements with bankers.

(3) The maximum amount which the Board may at any time have on loan under sub-section (1) shall be ten crores of rupees, unless the State Government by notification fixes a higher maximum amount.

(4) Stock issued by the Board under this section shall be issued, transferred, dealt with and redeemed in such manner as may be prescribed by rules.

1. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.

22. Guarantee of loans.—The State Government may guarantee in such manner as it thinks fit the payment of the principal and interest of any loan proposed to be raised by the Board or of either the principal or the interest:

Provided that the State Government shall, so long as any such guarantees are in force, lay before both Houses of the State Legislature in every year during the budget session a statement of the guarantees, if any, given during the current financial year of the State, and an up-to-date account of the total sums, if any, which have been paid out of State revenues by reason of any such guarantees or paid into State revenue towards repayment of any money so paid out.

[1][**23.** x x x][1]

1. Omitted by Act 6 of 1966 w.e.f. 17.3.1966.

24. Depreciation reserve.—(1) The Board shall create a depreciation reserve and, [1][x x x][1] shall, at the end of every year, credit to such reserve from its revenue, such amount as would if made annually throughout the preserved period of assets specified in the Table appended to the Schedule to this Act and accumulated at compound interest at the rate of three per cent per annum produce by the end of the prescribed period an amount equal to ninety per cent of the original cost of the assets after taking into account the sums already written off and set aside in the books of the Board.

(2) The amount to be credited every year to the depreciation reserve under sub-section (1) shall consist of the incremental deposit plus interest on the accumulated balance in the reserve:

Provided that the contribution in respect of any asset to the depreciation reserve under this section shall cease at the end of such period as may be prescribed by [1][regulations][1] or when the asset ceases to be used by the Board, whichever is earlier:

[1][Provisos x x x][1]

1. Omitted by Act 6 of 1966 w.e.f. 17.3.1966.
2. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.

[1][**24A. Improvement reserve.**—The Board shall create a reserve for improvement works and shall, at the end of every year, credit to such reserve from its revenue such percentage of the balance remaining after meeting its operating, maintenance and management expenses and after adequate provision is made for depreciation, taxes, interest and amortization payments on loans and other borrowings as the Board may determine, taking into consideration the improvement works which the Board will have to execute in order to provide adequate water supply and sewage disposal services in the Bangalore Metropolitan Area.

1. Section 24A and 24B inserted by Act 6 of 1966 w.e.f. 10.9.1964.

24B. Payment of interest to Government.—In respect of assets of the Government which vest in the Board by virtue of the provisions of this Act, the Board shall pay interest on the cost of such assets at such rate as may, from time to time, be fixed by the Government in consultation with the Board and such interest shall be deemed to be a part of the expenditure of the Board.][1]

[1][**24C.Power to write off irrecoverable amounts.-** The Board shall have power to write off any amount or sum due to it, if, in its opinion, such amount or sum is irrecoverable:

Provided that the Board shall, before writing off such an amount exceeding twenty-five thousand rupees, obtain the sanction of the State Government.][1]

1. Inserted by Act 15 of 2010 w.e.f. 16.04.2010.

25. Accounts and audit.—(1) The Board shall cause proper accounts and other records in relation thereto to be kept, including the proper system of internal check and prepare an annual statement of accounts, including the income and expenditure account and the balance sheet in such form as may be prescribed by [1][regulations][12][x x x][2].

(2) The accounts of the Board shall be audited by [3][such auditors as may be appointed by the Government][3] and any expenditure incurred [2][x x x][2] in connection with such audit shall be payable by the Board [2][x x x][2].

(3) The [3][auditor appointed by the Government][3] shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of Government accounts and in particular shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers, and to inspect any of the offices of the Board.

(4) The accounts of the Board as certified by the [3][auditor][3] together with the audit report thereon shall be forwarded annually to the State Government and the State Government may issue such instructions to the Board in respect thereof as it deems fit and the Board shall comply with such instructions.

(5) The State Government shall,—

(*a*) cause the accounts of the Board together with the audit report thereon forwarded to it under sub-section (4) to be laid annually before the State Legislature; and

(*b*) cause the accounts of the Board to be published in the manner prescribed by [1][regulations][1] and make available copies thereof on sale at a reasonable price.

1.Substituted by Act 6 of 1966 w.e.f. 17.3.1966.
2.Omitted by Act 18 of 1984 w.e.f. 21.4.1984..
3. Substituted by Act 18 of 1984 w.e.f. 21.4.1984.

CHAPTER IV

WATER SUPPLY

26. Vesting of works in Board.—On and from the date of coming into force of this Chapter, all public reservoirs, tanks, cisterns, fountains, wells, pumps, pipes, taps, conduits and other works connected with the supply of water to the [1][Bangalore Metropolitan Area][1] including the headworks and reservoirs at Tippagondanhalli and Hesarghatta and the rising mains whether made at the cost of the Government, the Bruhat Bangalore Mahanagara Palike or otherwise and all bridges, buildings, machinery, works, materials and other things connected therewith and all land (not being private property) adjacent and appertaining to the same shall vest in the Board and be subject to its control.

1. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.

27. Construction of water works.—(1) The Board may construct, lay, or erect filtration plants, reservoirs, machinery conduits, pipes or other works in any place in the State for supplying the Bangalore Metropolitan Area with water, and may provide tanks, reservoirs, machinery, mains, fountains and other conveniences within the Bangalore Metropolitan Area for the use of the inhabitants.

(2) The Board may cause existing water works to be maintained and supplied with water or it may close any such works and substitute other such works and may cause them to be maintained and supplied with water.

28. Trespass on water supply premises.—No person shall except with permission duly obtained from the Board or the Water Supply Engineer enter on land vested in the Board along which a conduit or pipe runs or on any premises connected with the water supply.

29. Prohibition of building over water mains.—[1][(1) No building, wall or other structure shall be erected and no street be constructed over any Board's water main. Even where structure is built near a pipe line there shall be a minimum clearance of 1.0 meter or half the dia-meter of the pipe line which ever is greater from the edge of the structure to the pipe line or appurtenances on the pipe-line.] [1]

(2) If any building, wall or other structure be so erected or any street be so constructed, the Water Supply Engineer may cause the same to be removed or otherwise dealt with as the Water Supply Engineer deems fit and the expenses thereby incurred shall be paid by the persons contravening the provisions of sub-section (1).

1. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.

30. Control over house connections.—All house connections, whether within or without the premises to which they belong, with the water-supply mains shall be under the control of the Board,

but shall be altered, repaired and kept in proper order, at the expense of the owner of the premises to which they belong, or for the use of which they were constructed, and in conformity with the regulations made in that behalf.

31. Payment to be made for water supplied.—Notwithstanding anything contained in section 127 or any law, contract or other instrument, for all water supplied under this Act, payment shall be made at such rates, at such times and under such conditions as may be specified by regulations, and different rates may be prescribed for supply of water for different purposes.

[1][Provided that where an arrangement has been entered into with the Bruhat Bangalore Mahanagara Palike [2] [under the provisions of Karnataka Municipal Corporations Act, 1976,][2] water shall be supplied by the Board in accordance with such arrangement to the inhabitants of the City.][1]

1. Inserted by Act 10 of 1966 w.e.f. 31.3.1966.
2. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.

32. Private water supply for domestic consumption.—(1) The Water Supply Engineer may, on application by the owner or occupier of any building, arrange, in accordance with the regulations, to supply water thereto for domestic consumption and use.

(2) It shall not be lawful for the owner of any dwelling house which may be constructed or re-constructed after the commencement of this Act to occupy it or cause or permit it to be occupied until he has obtained a certificate from the Board that there is provided within, or within a reasonable distance of the house such supply of wholesome water as appears to the Board to be sufficient for the domestic consumption and use of the inmates of the house.

[1][(3) Where on any land there is a super structure without supply of water from the Boards main for domestic consumption and where such supply can be furnished from the main not more than 35 meters distant from any part of any such super structure, the Board may by notice require the owner, lessee or occupant of the land or super structure to obtain such supply.] [1]

1. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.

33. Supply of water for domestic purpose not to include any supply for certain specified purposes.—The supply of water for domestic purposes under this Act shall not be deemed to include any supply,—

[2][(a) for any trade, manufacture or business including Hospitals, Nursing homes, Educational Institutions and Community Halls;][2]

(*b*) for gardens or for purposes of irrigation;

(*c*) for building purposes;

(*d*) for fountains, swimming baths, public baths or tanks or for any ornamental or mechanical purpose;

(*e*) for animals, where they are kept for sale or hire or for the sale of their produce or any preparation therefrom;

(*f*) for the consumption and use by the inmates of hotels, boarding houses and residential clubs;

(*g*) for the consumption and use by the persons resorting to theatres and cinemas;

(*h*) for constructing or for watering streets; or

(*i*) for washing vehicles where they are kept for sale or hire;

[1][x x x][1]

1. Omitted by Act 18 of 1984 w.e.f. 1.12.1964.
2. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.

34. Water supply for domestic purposes not to be used for non-domestic purposes.—No person shall, without the written permission of the Board, use or allow to be used for other than domestic purposes water supplied for domestic purposes.

35. Power to supply water for non-domestic purposes.—(1) The Chief Engineer may, with the sanction of the Board, supply water for any purpose other than a domestic purpose on such terms and

conditions consistent with this Act and the regulations made thereunder on receiving a written application specifying the purpose for which such supply is required and the quantity likely to be consumed.

(2) When an application under sub-section (1) is received, the Chief Engineer may, subject to such charges and rates as may be fixed by the regulations, lay or allow to be laid the necessary pipes and water fittings of such dimensions and description as may be prescribed by the regulation and may arrange for the supply of water through such pipes and fittings.

36. Supply of water to the Bruhat Bangalore Mahanagara Palike and other local authorities.—The Board may supply water to the Government, Bruhat Bangalore Mahanagara Palike or any other local authority on such terms as to payment and as to the period and the conditions of supply as shall be determined by the Board.

37. Use of water for extinguishing fire.—Water may be used for extinguishing fire without payment.

38. Public water supply.—(1) The Board may, subject to the payment by the Bruhat Bangalore Mahanagara Palike of such charges as the Board may determine, provide gratuitous supply of wholesome water to the public within the Bruhat Bangalore Mahanagara and may, for that purpose, erect public hydrants or other conveniences.

(2) The Water-Supply Engineer may, in consultation with the Commissioner of the Bruhat Bangalore Mahanagara Palike, close a public hydrant or other convenience when it is no longer required for the supply of wholesome water to the public.

39. Power to lay mains.—(1) Notwithstanding anything contained in [1][the Karnataka Municipal Corporations Act, 1976] [1] or any other law for the time being in force, the Board may lay a main whether within or without the local limits of the Bangalore Metropolitan Area,—

(*a*) in any street or any land vested in the Government, the Bruhat Bangalore Mahanagara Palike or any other local authority or any Corporation owned or controlled by the Government;

forming part of a street, in, over or on that land,

and may, from time to time, inspect, repair, alter or renew or may at any time remove any main so laid whether by virtue of this section or otherwise:

Provided that where a consent required for the purpose of this sub-section is withheld, the Board may, after giving the owner or occupier of the land a written notice of its intention so to do, lay the main in, over or on that land even without such consent.

(2) Where the Board, in exercise of the powers under this section, lays a main in, over or on any land not

forming part of a street or land referred to in clause (*a*) of sub-section (1), or inspect, repair, alter, renew or remove a main so laid down in, over or on any such land, it shall pay compensation to every person interested in that land for any damage done to, or injurious affection of that land by reason of the inspection, laying, repair, alteration, renewal or removal of the main.

1. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.

40. Power to lay service pipes, etc.—(1) The Board may, in any street or any land referred to in clause (*a*) of sub-section (1) of section 39, whether within or without the local limits of the Bangalore Metropolitan Area, lay such service pipes with such stopcocks and other water fittings as it may deem necessary for supplying water to premises and may, from time to time, inspect, repair, alter or renew and may, at any time, remove any service pipe laid in such street or land whether by virtue of this section or otherwise.

forming part of a street or land referred to in sub-section (1), such officers as the Board may authorise may from time to time enter upon that land and inspect, repair, alter, renew or remove the pipe or lay a new pipe in substitution thereof but shall pay compensation for any damage done in the course of such action.

41. Provision of fire hydrants.—(1) The Water-Supply Engineer shall fix hydrants on water mains (other than trunk mains) at such places as may be most convenient for affording a supply of water for extinguishing any fire which may break out and shall keep in good order and from time to time renew every such hydrant.

(2) To denote the situation of every hydrant placed under this section, letters, marks or figures shall be displayed prominently on some wall, building or other structure near such hydrant.

(3) As soon as any such hydrant is completed, the Water-Supply Engineer shall deposit a key thereof at each place where a public fire engine is kept and in such other places as he deems necessary.

(4) The Board may, at the request and expense of the owner or occupier of any factory, workshop, trade premises or place of business situated in or near a street in which a pipe is laid (and not being a trunk main and being of sufficient dimensions to carry a hydrant), fix on the pipe and keep in good order and from time to time renew one or more fire hydrants, to be used only for extinguishing fires as near as conveniently may be to that factory, workshop, trade premises or place of business.

(5) The Board shall allow all persons to take water for extinguishing fires from any pipe on which a hydrant is fixed without any payment.

42. Power to require owners of premises to set up pumps, etc.—The owner of every premises connected with the Board water works shall, when so required by the Board, provide a sump and set up electric pumps or other contrivances whereby water may be caused to reach to the top of the top-most storey of such premises.

43. Supply of water.—The Water-Supply Engineer may permit the owner, lessee or occupier of any premises to connect the premises by means of supply pipes for conveying to the premises a supply of water for his domestic purposes from the Board water works subject to the requirements specified in section 44 and the conditions, if any, laid down in the rules made in this behalf.

44. Laying of supply pipes, etc.—(1) An owner, lessee or occupier of any premises, who desires to have a supply of water for his domestic purposes from the Board water works, shall comply with the following requirements, namely:—

(*a*) he shall give to the Board fourteen days' notice of his intention to lay the necessary supply pipe; and

(*b*) he shall lay the supply pipe at his own expense, having first obtained, as respects any land not

forming part of a street, the consent of the owners or occupiers thereof:

Provided that where any part of the supply pipe is to be laid in a street, he shall not himself break open the street or lay that part of the pipe.

(2) Upon the receipt of such a notice as is referred to in sub-section (1), the Board shall [1][if in its opinion there is no objection][1] lay the necessary communication pipe and any part of the supply pipe which is to be laid in a street and shall connect the communication pipe with the supply pipe.

(3) The expenses, reasonably incurred by the Board in executing the work which it is required or authorised by this section to execute, shall be repaid to it by the person by whom the notice was given and may be recovered from such person as an arrear of water rate under this Act:

Provided that if [2][the Board considers it necessary to lay][2] a main in lieu of a supply pipe, the additional cost incurred in laying the main instead of a supply pipe shall be borne by him.

(4) Notwithstanding anything contained in the foregoing provisions of this section, the Board may, within a reasonable time after the service of the notice upon him, require the person giving the notice either to pay to it in advance, the cost of the work as estimated by the Board or to give security for payment thereof to its satisfaction.

(5) If any payment made to the Board under sub-section (4) exceeds the expenses which it would be entitled to recover from the person giving the notice, the excess shall be repaid by it and if and so far as those expenses are not covered by the payment, the Board may recover the balance from such person as an arrear of water rate under this Act.

1. Inserted by Act 6 of 1966 w.e.f. 17.3.1966.
2. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.

45. Power to require separate service pipes.—(1) The Board may require the provision of a separate service pipe for each of the premises supplied or to be supplied by it with water.

(2) If, in the case of any premises already supplied with water but not having a separate service pipe, the Board gives notice to the owner of the premises requiring the

provision of such a pipe, the owner shall, within three months, lay so much of the required pipe as will constitute a supply pipe and is not required to be laid in a street, and the Board shall, within fourteen days after the owner has done so, lay so much of the required pipe as will constitute a communication pipe or a supply pipe to be laid in a street and make all necessary communications.

(3) If an owner upon whom a notice has been served under sub-section (2) fails to comply therewith the Board may itself execute the work which the owner was required to execute and recover the expenses reasonably incurred by it in executing the work as an arrear of water rate under this Act.

46. Stopcocks.—(1) On every service pipe laid after the date of coming into force of this Chapter, the Board shall, and on every service pipe laid before such date the Board may fit a stopcock enclosed in a cover box or a pit of such size as may be reasonably necessary.

(2) Every stopcock fitted on a service pipe after the date of coming into force of this Chapter shall be placed in such position as the Board deems most convenient:

Provided that,—

(*a*) a stopcock in private premises shall be placed as near as is reasonably practicable to the street from which the service pipe enters those premises; and

(*b*) a stopcock in a street shall be placed as near to the boundary thereof as is reasonably practicable.

47. Power to provide meters.—(1) The Board may provide a water-meter and attach the same to the service pipe in premises connected with Board water works.

[1][(2) The cost of meters, the expense of their installation, and the rent payable for use of meters, shall be such as may be prescribed by regulations, and shall be paid by the owner of the premises.][1]

[1][(3) The use, maintenance and testing of meters shall be regulated by bye-laws made in this behalf.][1]

1. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.

48. Presumption as to correctness of meters.—Whenever water is supplied under this Act through a meter, it shall be presumed that the quantity indicated by the meter has been consumed until the contrary is proved.

49. Prohibition of waste or misuse of water.—(1) No person shall wilfully or negligently cause or suffer any water fitting which he is liable to maintain,—

(*a*) to be or remain so out of order or so in need of repair, or

(*b*) to be or remain so constructed or adapted or to be so used,

- that the water supplied to him by the Board is or is likely to be wasted, misused or unduly consumed, or contaminated before use, or that foul air or any impure matter is likely to return into any pipe belonging to, or connected with, a pipe belonging to the Board.

(2) If any water fitting which any person is liable to maintain is in such a condition, or so constructed or adapted as aforesaid, the Board, without prejudice to any action against the person under any other provision of this Act, may require that person to carry out any necessary repairs or alterations and if he fails to do so within forty-eight hours, may itself carry out the work and recover from him the expenses reasonably incurred by it in so doing, as an arrear of water-rates payable under this Act.

50. Power to enter premises to detect waste or misuse of water.—The Water-Supply Engineer or any officer authorised by the Board may, between sunrise and sunset, enter any premises supplied with water by the Board in order to examine if there

be any waste or misuse of such water and the Water-Supply Engineer or such officer shall not be refused admittance to the premises nor shall he be obstructed by any person in making his examination.

51. Power to test water fittings.—The Board may test any water fitting used in connection with water supplied by the Board.

52. Water pipes, etc., not to be placed where water will be polluted.—(1) No water pipes shall be laid in a drain or on the surface of an open channel or house gully or within six meters of a cesspool or in any position where the pipe is likely to be injured or the water therein polluted; and except with the approval of the Board no cistern shall be constructed within six meters of a latrine, or cesspool.

(2) No latrine, or cesspool shall be constructed or made within six meters of any water pipe or cistern or in any position where the pipe or cistern is likely to be injured or the water therein polluted.

53. Power to cut off water supply.—(1) The Board may cut off the supply of water from any premises,—

(*a*) if the premises are unoccupied;

(*b*) if the owner or occupier neglects to comply with any lawful order or requisition regarding water supply issued by the Board within the period specified therein;

(*c*) if any charges or any other sum due for water or for the cost of making a connection or the hire of a meter or the cost of carrying out any work or test connected with the water supply which is chargeable to any person by or under this Act is not paid within fifteen days after a bill for such charges or sums has been presented or served;

(*d*) if after receipt of a notice from the Board requiring him to refrain from so doing, the owner or occupier continues to use the water or to permit it to be used in contravention of the provisions of this Act or any rule made there-under;

(*e*) if the owner or occupier wilfully or negligently damages his meter or any pipe or tap conveying water;

(*f*) if the owner or occupier refuses to admit the Board or any person authorised by it in this behalf into the premises which it or he proposes to enter for the purpose of executing any work or of placing or removing any apparatus or of making any examination or inquiry in connection with the water supply or prevents the Water Supply Engineer or any person authorised by the Board doing such work, from placing or removing such apparatus or making such examination or inquiry;

(*g*) if any pipes, taps, works or fittings connected with the water supply are found on examination by the Board or any person authorised by it to be out of repair to such an extent as to cause waste or contamination of water;

(*h*) if the owner or occupier causes pipes, taps, works or fittings connected with the Board water supply to be placed, removed, repaired or otherwise interfered with in contravention of the provisions of this Act or of the rules or regulations made thereunder:

Provided that the Board shall not cut off the supply of water unless notice of not less than three days has been given to the owner or occupier of the premises.

[1][(i) on receiptof requisition from any statutory authority on the ground of violation of any statutory provisions by the owner or occupier or developer of the building:

Provided that the Board shall not cut off the supply of water unless a notice of not less than seven days has been given to the owner or occupier of the premises, except in case involving contamination of water;][1]

(2) (*a*) The owner and the occupier of the premises shall be jointly and severally liable for the payment of all the sums referred to in clause (*c*) of sub-section (1).

(*b*) The sums referred to in clause (*a*) shall be a charge on the premises.

(3) The expenses of cutting off the supply shall be payable by the owner and occupier of the premises jointly and severally.

(4) In case under clause (*c*) of sub-section (1) as soon as any money for non-payment of which water has been cut off, together with the expenses of cutting off the supply, has been paid by the owner or occupier, the Board shall cause water to be supplied as before on payment of the cost of re-connecting the premises with the water works.

(5) Action taken under this section against any person shall be without prejudice to any penalties to which he may otherwise be liable.

1. Inserted by Act 15 of 2010 w.e.f. 16.04.2010.

54. Joint and several liability of owners and occupiers for offence in relation to water supply.—If any offence relating to water supply is committed under this Act on any premises connected with the Board water works, the owner, the person primarily liable for the payment of the charges for water, and the occupiers of the said premises shall be jointly and severally liable for such offence.

55. Non-liability of Board when supply reduced or not made in certain cases.—The Board shall not be liable to any penalty or damages for cutting off the supply of water or for not supplying water in the case of unusual drought, other unavoidable cause or accident, or the necessity for relaying or repairing pipes.

56. Rights of user of conduits, lines, etc.—(1) The Board may place and maintain conduits and lines of mains or pipes over, under, along or across any immovable property whether within or without the local limits of the Bangalore Metropolitan Area without acquiring the same, and may at any time for the purpose of examining, repairing, altering or removing any conduits or lines of mains or pipes, enter on any property over, under, along or across which the conduits or lines of mains or pipes have been placed:

Provided that the Board shall not acquire any right other than a right of user in the property over, under, along or across which any conduit or line of mains or pipes is placed.

(2) In the exercise of the powers conferred upon it by this section, the Board shall cause as little damage and inconvenience as may be possible, and shall make full compensation for any damage or inconvenience caused by it.

57. Power of owner of premises to place pipes through land belonging to other persons.—(1) If it appears to the Board that the only or most convenient means of water supply to any premises is by placing or carrying any pipe over, under, along or across the immovable property of another person, it

may, by order in writing, authorise the owner of the premises to place or carry such pipe, over, under, along or across such immovable property:

Provided that before making any such order the Board shall give to the owner of the immovable property a reasonable opportunity of showing cause within such time as may be prescribed by regulations made in this behalf as to why the order should not be made:

Provided further that the owner of the premises shall not acquire any right other than a right of user in the property over, under, along or across which any such pipe is placed or carried.

(2) Upon the making of an order under sub-section (1), the owner of the premises may, after giving reasonable notice of his intention so to do, enter upon the immovable

property with assistants and workmen at any time between sunrise and sunset for the purpose of placing a pipe over, under, along or across such immovable property or for the purpose of repairing the same.

(3) In placing or carrying a pipe under this section, as little damage as possible shall be done to the immovable property and the owner of the premises shall,—

(*a*) cause the pipe to be placed or carried with the least practicable delay;

(*b*) fill in, re-instate and make good at his own cost and with the least practicable delay, and land opened, broken up or removed for the purpose of placing or carrying such pipe; and

(*c*) pay compensation to the owner of the immovable property and to any other person who sustains damage by reason of the placing or carrying of such pipe.

(4) If the owner of the immovable property, over, under, along or across which a pipe has been placed or carried under this section whilst such immovable property was not built upon, desires to erect any building on such property, the Board shall, by notice in writing, require the owner of the premises to close, remove or divert the pipe in such manner as shall be approved by him and to fill in, re-instate and make good the immovable property as if the pipe had not been placed or carried over, under, along or across the same:

Provided that no such requisition shall be made unless in the opinion of the Board it is necessary or expedient for the construction of the proposed building or the safe enjoyment thereof that the pipe should be closed, removed or diverted.

58. Power to execute work after giving notice to the person liable.—(1) When under the provisions of this Chapter any person may be required or is liable to execute any work, the Board may, in accordance with the provisions of this Act and of any rule or regulation made in this behalf, cause such work to be executed after giving such person an opportunity of executing the same within such time as may be specified by it for this purpose.

(2) The expenses incurred or likely to be incurred by the Board in the execution of any such work shall be payable by the said person and the expenses incurred by the Board in connection with the maintenance of such work shall be payable by the person or persons enjoying the amenities and conveniences rendered possible by such work.

(3) The expenses referred to in sub-section (2) shall be recoverable from the person or persons liable therefor as an arrear of charges payable under this Act.

59. Work to be done by licensed plumber.—(1) No person other than a licensed plumber shall execute any work described in this Chapter and no person shall permit any such work to be executed except by a licensed plumber:

Provided that if, in the opinion of the Water Supply Engineer, the work is of a trivial nature, he may grant permission in writing for the execution of such work by a person other than a licensed plumber.

(2) Every person who employs a licensed plumber to execute any work shall, when so required, furnish to the Water Supply Engineer the name of such plumber.

(3) When any work is executed except in accordance with the provisions of sub-section (1), such work shall be liable to be dismantled at the discretion of the Board without prejudice to the right of the Board to prosecute under this Act the person at whose instance such work has been executed.

(4) The Board may make regulations for the guidance of licensed plumbers and a copy of all such regulations shall be attached to every licence granted to a plumber by the Board.

(5) The Board may, from time to time, prescribe the charges to be paid to licensed plumbers for any work done by them under or for any of the purposes of this Chapter.

(6) No licensed plumber shall, for any work referred to in sub-section (5), demand or receive more than the charges prescribed therefor under that sub-section.

(7) The Board shall make regulations providing for,—

(*a*) the exercise of adequate control on all licensed plumbers;

(*b*) the inspection of all works carried out by them; and

(*c*) the hearing and disposal of complaints made by the owners or occupiers of premises with regard to the quality of work done, material used, delay in execution of work, and the charges made, by a licensed plumber.

(8) No licensed plumber shall contravene any of the regulations made under this section or execute carelessly or negligently any work under this Act or make use of bad materials, appliances or fittings.

(9) If any licensed plumber contravenes sub-section (8), his licence may be suspended or cancelled whether he is prosecuted under this Act or not.

60. Prohibition of certain acts.—(1) No person shall,—

(*a*) wilfully obstruct any person acting under the authority of the Board 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 the 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 any water course by which any such water is supplied; or

(*d*) 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 work; or

(*e*) 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 leather or the skin of any animal, or cause 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][**61. Regulations regarding water supply.**—(1) The Board may, with the previous approval of the State Government, make regulations to carry out the purposes of this Chapter.

(2) In particular and without prejudice to the generality of the foregoing provisions, such regulations may provide for,—

(*a*) the power of the Board,—

(i) to stop the supply of water, whether for domestic purpose, or not, or for gratuitous use; and

(ii) to prohibit the sale and use of water for the purpose of business;

[2][(iii) to insist on rain water harvesting system for conservation of water;] [2]

(*b*) the power of the Board to take charge of private connections;

(*c*) the prohibition of fraudulent and unauthorised use of water and the prohibition of tampering with meters;

(*d*) the licensing of plumbers and fitters, and for the compulsory employment of licensed plumbers and fitters.

(3) In making any regulation under this section, the Board may provide that a breach thereof shall be punishable with fine which may extend to [1][five thousand rupees] [1] and in case of continuing breach with an additional fine which may extend to [1][five hundred rupees][1] for every day during which the breach continues after the receipt of a notice from the Board to discontinue such breach.][1]

1. Section 61 and 61A Substituted by Act 6 of 1966 w.e.f. 17.3.1966.

2. Inserted by Act 15 of 2010 w.e.f. 16.04.2010.

3. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.

[1]**[61A. Bye-laws regarding water supply.**—Subject to the provisions of the rules and the regulations, the Board may after previous publication, make bye-laws to provide for,—

(*a*) the connection of water supply pipes for conveying to any premises a supply of water from Board Water Works;

(*b*) the making and renewing connections with Board Water Works;

(*c*) the power of the Board to alter the position of connections;

(*d*) the equitable distribution of water supplied to occupiers;

(*e*) the size, material, quality, description and position of the pipes and fittings to be used for the purpose of any connection with or any communication from any Board Water Works and the stamping of pipes and fittings and fees for such stamping;

(*f*) the size, material, quality and description of pipes, cisterns, and fittings which are found on an examination under the provisions of the Act to be so defective that they cannot be effectively repaired;

(*g*) the provision and maintenance of meters when water is supplied by measurement;

(*h*) the maintenance of pipes, cisterns and other water works.][1]

1. Section 61 and 61A Substituted by Act 6 of 1966 w.e.f. 17.3.1966.

62. Punishment for certain offences.— Whoever,—

(*a*) contravenes any of the provisions of this Act mentioned in the first column of the following Table; or

(*b*) fails to comply with any order or direction lawfully given to him or any requisition lawfully made upon him under any of the said provisions,

shall be punishable, [1][[3][XXX][3]] [1]

(i) with [4][penalty][4] which may extend to the amount specified in that behalf in the third column of the said Table; [1][[3][XXX][3]][1]and

(ii) in the case of a continuing contravention or failure, with an additional fine which may extend to the amount specified in the fourth column of that Table for every day during which such contravention or failure continues after conviction for the first such contravention or failure.

[2][4][**TABLE**

Provisions of the Act	**Subject**	**Maximum penalty which may be imposed**	**Daily penalty which may be imposed**
(1)	**(2)**	**(3)**	**(4)**
Section 28	Trespassing on premises connected with water supply.	10,000	-

Section 30	Failure to maintain house connections in conformity with regulations	10,000	-
Section 32 Sub-Section (2)	Occupying or allowing occupation of house without proper water supply	10,000	-
Section 32 Sub-Section (3)	Failure to comply with requisition to make house connection	10,000	100
Section 34	Use for non-domestic purposes of water supplied for domestic purposes	50,000	100
Section 49	Waste or misuse of water	50,000	-
Section 50	Refusal of admittance, etc	10,000	-
Section 52 Sub-section (1)	Laying of water pipes, etc., in a position where the same may be injured or water therein polluted	50,000	100
Section 59 Sub-section (1)	Execution of work by a person other than a licensed plumber	20,000	-
Section 59 Sub-section (2)	Failure to furnish when required name of licensed plumber employed	10,000	-
Section 59 Sub-section (6)	Licensed plumbers not to demand more than the charges prescribed	10,000	-
Section 59 Sub-section (8)	Licensed plumbers not to contravene regulations or execute work carelessly or negligently, etc.,	10,000	-
Section 60	Prohibition of willful or neglectful acts relating to water works.	50,000	-

]4]2

1. Inserted by Act 15 of 2010 w.e.f. 16.04.2010.
2. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.
3. Omitted by Act 61 of 2025 w.e.f. ……
4. Substituted by Act 61 of 2025 w.e.f. ……

CHAPTER V

SEWERS AND SEWERAGE

63. Vesting of sewers, etc., in Board.—(1) On and from the date of coming into force of this Chapter, all public sewers, all sewers in, alongside or under any public street within the Bangalore Metropolitan Area, and all sewage disposal works whether constructed out of the municipal fund of the Bruhat Bangalore Mahanagara Palike of the

Bruhat Bangalore Mahanagara or otherwise, and all works, materials and things appertaining thereto, shall vest in the Board.

(2) All public and other sewers which are vested in the Board are hereafter in this Act referred to as Board sewers.

(3) For the purposes of enlarging, deepening or otherwise repairing or maintaining any such sewer or sewage disposal work so much of the sub-soil appertaining thereto as may be necessary for the said purpose shall be deemed also to vest in the Board.

(4) All sewers and ventilation-shafts, pipes and all appliances and fittings connected with the sewerage works constructed, erected or set up out of the municipal fund of the Bruhat Bangalore Mahanagara Palike in or upon premises not belonging to the Bruhat Bangalore Mahanagara Palike whether,—

(*a*) before or after the commencement of this Act, and

(*b*) for the use of the owner or occupier of such premises or not,

shall, unless the Bruhat Bangalore Mahanagara Palike has otherwise determined, or does at any time otherwise determine, vest in the Board.

64. Control of sewers and sewage disposal works.—(1) All Government sewers, all sewage disposal works and all works, materials and things appertaining thereto shall be under the control of the Board.

(2) The Board shall maintain and keep in repair all Board sewers and sewage disposal works and shall construct as many new drains and sewage disposal works as may from time to time be necessary for effectual sewerage and sewage disposal of the Bangalore Metropolitan Area.

65. Certain matters not to be passed into Board sewers.—(1) No person shall throw, empty, or turn into any Board sewer or into any drain or sewer communicating with a Board sewer,—

(*a*) any matter likely to injure the sewer or to interfere with the free flow of its contents, or to affect prejudicially the treatment and disposal of its contents; or

(*b*) any chemical, refuse or waste steam, or any liquid of [1][such temperature as may be specified by notification by the Board][1], being refuse or steam which, or a liquid which when so heated, is, either alone or in combination with the contents of the sewer, dangerous, or the cause of a nuisance, or prejudicial to health; or

(*c*) any dangerous petroleum.

(2) In this section, the expression "dangerous petroleum" has the same meaning as in the Petroleum Act, 1934 (Central Act 30 of 1934).

1. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.

66. Application by owners and occupiers to drain into Board sewer.—(1) Subject to such conditions as may be prescribed by regulations made in this behalf, the owner or occupier of any premises having a private drain, or the owner of any private drain within the Bangalore Metropolitan Area may apply to the Board to have his drain made to communicate with the Board sewers and thereby to discharge foul water and surface water from those premises or that private drain:

Provided that nothing in this sub-section shall entitle any person to discharge directly or indirectly into any Board sewer,—

(i) any trade effluent from any trade premises except in accordance with the regulations made in this behalf; or

(ii) any liquid or other matter the discharge of which into Board sewers is prohibited by or under this Act or any other law.

(2) Any person desirous of availing himself of the provisions of sub-section (1) shall give to the Board notice of his proposals, and at any time within one month after receipt thereof, the Board may by notice to him refuse to permit the communication to be made, if it appears to it that the mode of construction or condition of the drain is such that the making of the communication would be prejudicial to the sewerage system, and for the purpose of examining the mode of construction and condition of the drain it may, if necessary, require it to be laid open for inspection.

(3) The Board may, if it thinks fit, construct such part of the work necessary for connecting a private drain with a Board sewer as is in or under a public street and in such a case, the expenses incurred by the Board shall be paid by the owner or occupier of the premises, or as the case may be, the owner of the private drain and shall be recoverable from the owner or occupier as an arrear of charges payable under this Act.

[1][(4) Every owner or occupier of a building having sewerage connection shall pay such sewerage charges as may be determined by the Board by regulation from time to time.][1]

1. Inserted by Act 15 of 2010 w.e.f. 16.04.2010.

67. Drainage of undrained premises.—(1) Where any premises are in the opinion of the Board without sufficient means of effectual drainage and a Government sewer or some place approved by the

Board for the discharge of filth and other polluted and obnoxious matter is situated at a distance of not exceeding thirty-five metre from any part of the said premises, it may, by written notice, require the owner of the said premises,—

(*a*) to make a drain emptying into such Government sewer or place;

(*b*) to construct a closed cesspool or soakage pit and fittings as may appear to the Board necessary for the purpose of gathering and receiving the filth and other polluted and obnoxious matter from and conveying the same off, the said premises and of effectually flushing such drain and every fixture connected therewith;

(*c*) to remove any existing drain or other appliance or thing used or intended to be used for drainage which is injurious to health;

(*d*) to provide a closed drain in substitution of an open drain or to provide such other appliance or thing either newly or in substitution of any existing appliance or thing or to provide both a closed drain and such other appliance or thing in substitution of the existing open drain and other appliance or thing, which is or is likely to be injurious to health;

(*e*) to provide and set up all such appliances and fittings as may appear to the Board to be necessary for the purpose of gathering and receiving the waste water from floors and galleries of buildings when they are washed, and conveying the same through spouts, by down-take pipes so as to prevent such waste water from discharging directly on streets or inside any lower portion of the premises;

(*f*) to carry out any work to improve or re-model an existing drain which is inadequate, insufficient or faulty.

(2) Where in any case not provided for in sub-section (1) any premises are, in the opinion of the Board without sufficient means of effectual drainage, it may, by written notice, require the owner of the premises,—

(*a*) to construct a drain up to a point to be prescribed in such notice but not at a distance of more than thirty-five metres from any part of the premises; or

(*b*) to construct a closed cesspool or soakage pit and drain or drains emptying into such cesspool or soakage pit.

(3) Any requisition for the construction of any drain under sub-section (2) may contain any of the details specified in sub-section (1).

68. New premises not to be erected without drains.—(1) In areas in which Board sewers are provided it shall not be lawful to erect or to re-erect any premises or to occupy any such premises unless,—

(*a*) a drain be constructed of such size, materials and descriptions, at such level and with such fall as shall appear to the Board to be necessary for the effectual drainage of such premises;

(*b*) there have been provided and set up on such premises such appliances and fittings as may appear to the Board to be necessary for the purposes of gathering or receiving the filth and other polluted and obnoxious matter from, and conveying the same off, the said premises and of effectually flushing the drain of the said premises and every fixture connected therewith.

(2) The drain so constructed shall empty into a Board sewer.

(3) The provisions of this section shall be applicable to premises any part of which is situated within a distance of thirty-five metres from a Board sewer.

69. Power to drain group or block of premises by combined operations.—(1) If it appears to the Board that any group or block of premises may be drained more economically or advantageously in combination than separately, and a Board sewer of sufficient size already exists or is about to be constructed within thirty-five metres of any part of that group or block of premises, the Board may cause that group or block of premises to be drained by a combined operation.

(2) The expenses incurred in carrying out any work under sub-section (1) in respect of any group or block of premises shall be paid by the owners of such premises in such proportion as the Board may determine and shall be recoverable from them as an arrear of charges payable under this Act.

(3) Not less than fifteen days before any such work is commenced, the Board shall give to each such owner,—

(*a*) written notice of the nature of the proposed work, and

(*b*) an estimate of the expenses to be incurred in respect thereof and of the proportion of such expenses payable by him.

(4) The Board may require the owners of such group or block of premises to maintain the work executed under this section.

70. Power of Board to close or limit the use of private drains in certain cases.—Where a drain connecting any premises with a Board sewer is sufficient for the effectual drainage of such premises and is otherwise unobjectionable but is not, in the opinion of the Board adapted to the general system of sewerage in the Bangalore Metropolitan Area, it may, by written notice addressed to the owner of the premises, direct,—

(*a*) that such drain be closed, discontinued or destroyed and that any work necessary for that purpose be done; or

(*b*) that such drain shall, from such date as may be specified in the notice in this behalf, be used for filth and polluted water only or for rain water and unpolluted sub-soil water only:

Provided that,—

(i) no drain may be closed, discontinued or destroyed by the Board under clause (*a*) except on condition of its providing another drain equally effectual for the drainage of the premises and communicating with any Board sewer which it thinks fit; and

(ii) the expenses of the construction of any drain so provided by the Board and of any work done under clause (*a*) shall be borne by the Board.

71. Use of drain by a person other than the owner.—(1) Where the Board either on receipt of an application from the owner of any premises or otherwise is of the opinion that the only, or the most convenient means of effectual drainage of the premises into a Board sewer is through a drain belonging to another person, the Board may by notice in writing require the owner of such drain to show cause within a period specified in the notice as to why an order under this section should not be made.

(2) Where no cause is shown within the specified period or the cause shown appears to the Board invalid or insufficient, the Board may by order in writing either authorise the owner of the premises to use the drain or declare him to be a joint owner thereof.

(3) An order made under sub-section (2) may contain directions as to,—

(*a*) the payment of rent or compensation by the owner of the premises;

(*b*) the construction of a drain for the premises for the purpose of connecting it with the aforesaid drain;

(*c*) the entry upon the land in which the aforesaid drain is situate with assistants and workmen at all reasonable hours;

(*d*) the respective responsibilities of the parties for maintaining, repairing, flushing, cleaning and emptying the aforesaid drain.

[1][**72. Sewage and rain water drains to be distinct.-** Wherever it is provided in this Chapter that steps shall or may be taken for the effectual drainage of any premises, it shall be competent to the Board to require that there shall be one drain for filth and polluted water and connecting to Board sewer and an entirely distinct drain for rain water and unpolluted sub-soil water or both rain water and unpolluted sub-soil water, emptying into rain water harvesting system, Bruhat Bangalore Mahanagara Palike drain or other suitable places.] [1]

1. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.

[1][2][3][72A. Obligation to provide rain water harvesting structure.-](3) (1) Every owner who proposes to construct a building on a sital area of not less than 108 square meter shall provide rain water harvesting structure for storage, for use or for ground water recharge in such manner and subject to such conditions as may be provided in the regulations and guidelines issued by the Board.

(2) Every owner or occupier of a building having sital area of not less than 216 square meter and not more than 1000 square meter, who has not provided rain water harvesting structure before the commencement of the Bangalore Water Supply and Sewerage (Amendment) Act, 2021, shall provide rainwater harvesting structure for storage, for use and for ground water recharge subject to such conditions as may be specified in the regulations.

(3) Every owner who proposes to construct a building on sital area of not less than 1000 square meter or a owner or occupier of a building having sital area of not less than 1000 square meter who has not provided rain water harvesting structure before the commencement of the Bangalore Water Supply and Sewerage (Amendment) Act, 2021 shall provide dual piping system and rain water harvesting structure for storage and for use, other than drinking, cooking and bathing purpose, based on roof area and ground water recharge based on paved and unpaved areas in such manner and subject to such conditions as may be provided in the regulations and guidelines issued by the Board.

Explanation.- For the purpose of this section,-

(a) "rain water harvesting" means collection and storage of rain water from roof top of a building or from a vacant land for use or for ground water recharge; and

(b) "ground water recharge" means recharging of open well or the bore well or the underground water as the case may be, by use of harvested rain water.][3][2][1]

1. Substituted by Act 5 of 2011 w.e.f. 05.02.2011.
2. Substituted by Act 25 of 2016 w.e.f 01.08.2016.
3. Substituted by Act 29 of 2021 w.e.f. 07.10.2021

73. Power to require owner to carry out certain works for satisfactory drainage.—For the purpose of efficient drainage of any premises, the Board may, by notice in writing,—

(*a*) require any courtyard, alley or passage between two or more buildings to be paved by the owner or owners of such buildings with such materials and in such manner as may be approved by the Board, and

(*b*) require such paving to be kept in proper repair.

74. Appointment of places for the emptying of sewers and disposal of sewage.—The Board may cause any or all of the Board sewers to empty into, and all sewage to be disposed of at, such place or places as it considers suitable:

Provided that no place which has not been before the commencement of this Chapter used for any of the purposes specified in this section shall, after such commencement be used therefor without the approval of the Board:

Provided further that on and after such date as may be appointed by the Board in this behalf no sewage shall be discharged into any water-course until it has been [1][treated in such manner as may be prescribed in the bye-laws made in this behalf.][1]

1. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.

75. Connection with sewers not to be made without permission.—Without the written permission of the Board, no person shall, for any purpose whatsoever, at any time make or cause to be made any connection or communication with any sewer referred to in section 63 constructed or maintained by, or vested in, the Board.

[1][**75A.Board to cut off sewerage connection.-** The Board may cut off sewerage connection to any premises,-

(a) if the premises are unoccupied;

(b) if the owner or occupier contravenes the provision of this Act or neglects to comply with any lawful order or requisites regarding water supply or sewerage connection issued by the Board within the period specified therein;

(c) if any charges or any other sum due for water supply or sewerage connection or the cost of carrying out work or test conducted with water supply or sewerage, chargeable on the owner or occupier under this Act, is not paid within fifteen days after issue of bills for such charges;

(d) on receipt of requisition from any statutory authority on the ground of violation of any statutory provisions by the owner/occupier/developer of the building.][1]

1. Inserted by Act 15 of 2010 w.e.f. 16.04.2010.

76. Buildings and private streets not to be erected or constructed over sewers without permission.—[1][(1)No private street shall be constructed and no building, wall, fence or other structure shall be erected on any Board sewer constructed or maintained by, or vested in the Board. Even where a structure is built near a sewer there shall be a minimum clearance of 1.0 meter or half the dia-meter of the sewer (whichever is greater) from the edge of the sewer or manhole on the sewer.

(2) If any private street be constructed or any building, wall, fence or structure erected in contravention of the above, the Board may remove or otherwise deal with the same as it thinks fit.] [1]

(3) The expenses incurred by the Board in so doing shall be paid by the owner of the private street or of the building, fence, wall or other structure or, as the case may be, by the person offending and shall be recoverable as an arrear of charges payable under this Act.

1. Substituted by Act 15 of 2010 w.e.f. 16.04.2010.

77. Rights of user of property for sewers.—(1) The Board may place and maintain sewers over, under, along or across any immovable property whether within or without the local limits of the Bangalore Metropolitan Area, without acquiring the same, and may at any time for the purpose of examining, repairing, altering or removing any sewers enter on any property over, under, along or across which the sewers have been laid:

Provided that the Board shall not acquire any right other than a right of user in the property over, under, along or across which any sewer is laid.

(2) In the exercise of the powers conferred upon it by this section, the Board shall cause as little damage as may be possible, and shall make full compensation for any damage caused by it.

78. Power of owner of premises to lay sewer through land belonging to other persons.—(1) If it appears to the Board that the only or most convenient means of sewerage of any premises is by laying any sewer over, under, along or across the immovable property of another person, the Board may, by order in writing, authorise the owner of the premises to lay or carry such sewer over, under, along or across such immovable property:

Provided that before making any such order the Board shall give to the owner of the immovable property a reasonable opportunity of showing cause within such time as may be prescribed by regulations made in this behalf as to why the order should not be made:

Provided further that the owner of the premises shall not acquire any right other than a right of user in the property over, under, along or across which any such sewer is laid.

(2) Upon the making of an order under sub-section (1), the owner of the premises may, after giving reasonable notice of his intention so to do, enter upon the immovable property with assistants and workmen at any time between sunrise and sunset for the purpose of laying a sewer over, under, along or across such immovable property or for the purpose of repairing the same.

(3) In laying a sewer under this section, as little damage as possible shall be done to the immovable property and the owner of the premises shall,—

(*a*) cause the sewer to be laid with the least practicable delay;

(*b*) fill in, reinstate and make good at his own cost and with the least practicable delay, any land opened, broken up or removed for the purpose of laying such sewer; and

(*c*) pay compensation to the owner of the immovable property and to any other person who sustains damage by reason of the laying of such sewer.

(4) If the owner of the immovable property, over, under, along or across which a sewer has been laid under this section whilst such immovable property was not built upon, desires to erect any building on such property, the Board shall, by notice in writing, require the owner of the premises to close, remove or divert the sewer in such manner as shall be approved by it and to fill in, reinstate and make good the immovable property as if the sewer had not been laid over, along or across the same:

Provided that no such requisition shall be made unless in the opinion of the Board it is necessary or expedient for the construction of the proposed building or the safe enjoyment thereof that the sewer should be closed, removed or diverted.

79. Power to execute work after giving notice to the person liable.—(1) When under the provisions of this chapter any person may be required or is liable to execute any work, the Board may, in accordance with the provisions of this Act and of any regulations made in this behalf, cause such work to be executed after giving such person an opportunity of executing the same within such time as may be specified by it for this purpose.

(2) The expenses incurred or likely to be incurred by the Board in the execution of any such work shall be payable by the said person and the expenses incurred by the Board in connection with the maintenance of such work shall be payable by the person or persons enjoying such amenities and conveniences rendered possible by such work.

(3) The expenses referred to in sub-section (2) shall be recoverable from the person or persons liable therefor as an arrear of charges payable under this Act.

80. Power to affix shafts, etc., for ventilation of sewer or cesspool.—For the purpose of ventilating any sewer or cesspool, whether vested in the Board or not, the Board may, in accordance with regulations made in this behalf, erect upon any premises or affix to the outside of any building or to any tree any such shaft or pipe as may appear to it to be necessary.

81. Power to examine and test sewers, etc., believed to be defective.—(1) Where it appears to the Board that there are reasonable grounds for believing that a private sewer or cesspool is in such condition as to be prejudicial to health or a nuisance or that a private sewer communicating directly or indirectly with a Board sewer is so defective as to admit sub-soil water, it may examine its condition and for that purpose may apply any test, other than a test by water under pressure, and if it deems it necessary, open the ground.

(2) If on examination the sewer or cesspool is found to be in proper condition, the Board shall, as soon as possible, reinstate any ground which has been opened by it and make good the damage done by it.

82. Work to be done by licensed plumber.—(1) No person other than a licensed plumber shall execute any work described in this Chapter and no person shall permit any such work to be executed except by a licensed plumber:

Provided that if, in the opinion of the Sanitary Engineer, the work is of a trivial nature, he may grant permission in writing for the execution of such work by a person other than a licensed plumber.

(2) The provisions of section 59 shall be applicable in respect of any work connected with any drain as they are applicable in respect of any work connected with water supply.

83. Prohibition of certain acts.—No person shall,—

(*a*) wilfully obstruct any person acting under the authority of the Board 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, or other work or apparatus belonging to the Board; or

(*c*) unlawfully obstruct the flow of or flush, draw off, divert or take sewage from any sewage work belonging to the Board; or

(*d*) 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 sewage work.

84. Regulations regarding sewerage.—(1) The Board may with the previous approval of the State Government may, make regulations to carry out the purposes of this Chapter.

[1][(2) In particulars and without prejudice to the foregoing provision, such regulations may provide for the charges to be paid to the Board by occupiers of trade premises for the reception of trade effluent into Board sewers and disposal thereof.][1]

(3) In making any regulation under this section, the Board may provide that a breach thereof shall be punishable with fine which may extend to [2] [five thousand rupees][2] and in case of continuing breach with an additional fine which may extend to [1][five hundred rupees] [1] for every day during which the breach continues after receipt of a notice from the Board to discontinue such breach.

1. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.
2. Substituted by Act 15 of 2010 w.e.f. 16.4.2010.

[1][**84A. Bye-laws regarding sewerage.**—(1) Subject to the provisions of rules and regulations, the Board may after previous publication make bye-laws to provide for,— (*a*) the regulation or prohibition of the discharge or deposit of offensive or obstructive matter polluted water or other polluted and obnoxious matter into sewers; (*b*) the regulation in any manner not specifically provided for in this Act, of the construction, alteration, maintenance, preservation, cleaning and repairs of sewers, ventilation shafts, pipes, latrines, urinals, cesspools and other sewerage works;

(*c*) the cleansing of sewers;

(*d*) the prohibition of erection of buildings over sewers without the permission of the Board;

(*e*) the connection of private drains with Board sewers;

(*f*) the location and construction of cesspools;

(*g*) the covering and ventilation of cesspools;

(*h*) the period or periods of the day during which trade effluent may be discharged from any trade premises into Board sewers;

(*i*) the exclusion from trade effluent of all condensing matter;

(*j*) the elimination from trade effluent, before it enters a Board sewer, of any constituent which in the opinion of the Board would, either alone or in combination with any matter with which it is likely to come into contact while passing through Board sewers, injure or obstruct those sewers or make specially difficult or expensive the treatment or disposal of the sewage from those sewers;

(*k*) the maximum quantity of trade effluent which may, without any consent or permission, be discharged from any trade premises into Board sewers on any one day and the highest rate at

which trade effluent may, without such consent or permission, be discharged from any trade premises into Board sewers;

(*l*) the regulation of the temperature of trade effluent at the time of its discharge into Board sewers and the securing of the neutrality of trade effluent (that is to say, that it is neither acidic not alkaline) at the time of such discharge;

(*m*) the provision and maintenance of such an inspection chamber or manhole as will enable a person readily to take at any time samples of what is passing into Board sewers from trade premises;

(n) the provision and maintenance of such meters as may be required to measure the volume of any trade effluent being discharged from any trade premises into Board sewers, and the testing of such meters.][1]

1. Inserted by Act 6 of 1966 w.e.f. 17.3.1966.

85. Punishment for certain offences.— Whoever,—

(*a*) contravenes any of the provisions of this Act mentioned in the first column of the following Table; or

(*b*) fails to comply with any order or direction lawfully given to him or any requisition lawfully made upon him under any of the said provisions,

shall be punishable,[1][[3][XXX][3]][1]

(i) with [4][penalty][4] which may extend to the amount specified in that behalf in the third column of the said Table; [1][[3][XXX][3]][1] and

(ii) in the case of a continuing contravention or failure, with an additional fine which may extend to the amount specified in the fourth column of that Table for every day during which such contravention or failure continues after conviction for the first such contravention or failure.

[4][2][**TABLE**

Provisions of the Act	**Subject**	**Maximum penalty which may be imposed**	**Daily penalty which may be imposed**
(1)	**(2)**	**(3)**	**(4)**
Section 65	Injury to, or interference with free flow of contents of Board sewers or drains or sewers communicating with Board sewers	50,000	500
Section 66 Sub-section (2)	Private drain not to be connected with Board sewers without notice	10,000	100
Section 67	Non-compliance with requisition for drainage of un-drained premises	20,000	200
Section 68	Erection of new premises without drains	50,000	-
Section 69	Non-compliance with requisition for maintenance of drainage works for any group or block of premises	50,000	
Section 70	Non-compliance with direction to close or limit the use of private drains in certain	50,000	-
Provisions of the Act	**Subject**	**Maximum penalty which may be imposed**	**Daily penalty which may be imposed**
(1)	**(2)**	**(3)**	**(4)**
	cases		

Section 71	Non-compliance with Sanitary Engineer's orders regarding the use of a drain by a person other than the owner thereof	50,000	-
Section 72	Non-compliance with requisition for keeping sewage and rain water drains distinct	50,000	-
Section 73	Non-compliance with requisition for the pavement of court yard *etc.,*	10,000	-
Section 75	Connection with Board sewers without written permission	50,000	500
Section 78 sub-section (4)	Non-compliance with requisition to close, remove or divert a pipe or drain	50,000	500
Section 82 sub-section (1)	Execution of work by a person other than a licensed plumber	50,000	-
Section 82 sub-section (2) read with section 59 (2)	Failure to furnish when required name of licensed plumber employed	10,000	-
Section 82 sub-section (6) read with section 59(2)	Licensed plumbers not to demand more than the charges prescribed	50,000	-
Section 82 sub-section (8) read with section 59(2)	Licensed plumbers not to contravene regulations or execute work carelessly or negligently. *Etc.,*	50,000	-

]2]4

1. Inserted by Act 6 of 1966 w.e.f. 17.3.1966.
2. Substituted by Act 15 of 2010 w.e.f. 16.4.2010.
3. Omitted by Act 61 of 2025 w.e.f. ……
4. Substituted by Act 61 of 2025 w.e.f. ……

CHAPTER VI

MISCELLANEOUS

86. Annual reports, statistics and returns.—(1) The Board shall, before such date and in such form as may be prescribed by rules, submit to the State Government an annual report upon such matters as may be prescribed by rules, and the State Government shall cause such report to be published in the official Gazette.

(2) Without prejudice to the provisions of sub-section (1), the Board shall as soon as may be after the end of each financial year, prepare and submit to the State Government in such form as may be prescribed by 1[regulations]1 a report giving an account of its activities during the previous financial year and the report shall also give an account of the activities, if any, which are likely to be undertaken by the Board in the next financial year; and the State Government shall cause every such report to be laid before the State Legislature as soon as may be after it is received by the State Government.

(3) The Board shall furnish to the State Government at such times and in such form and manner 2[x x x]2 as the State Government may direct, such statistics and returns, and such particulars in regard to any proposed or existing scheme, as the State Government may from time to time require.

1. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.
2. Omitted by Act 6 of 1966 w.e.f. 17.3.1966.

87. Power to make rules.—(1) The State Government may, after previous publication, by notification make rules to give effect to the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for,—

(*a*) the powers of the Chairman and the term of office of the Chairman and other members of the Board, the conditions under which they shall be eligible for reappointment and their remuneration, allowances and other conditions of service;

(*b*) the terms and conditions of appointment of members of the Consultative Committee, the convening of meetings of such Committee and the conduct of business thereat;

(*c*) the form in which the annual financial statement and supplementary statements under section 17 shall be prepared by the Board, and the particulars to be included therein;

(*d*) the conditions subject to which the Board may borrow under section 21;

(*e*) the manner in which stock issued by the Board shall be issued, transferred, dealt with and redeemed;

(*f*) the manner in which the accounts of the Board shall be published under section 25;

(*g*) the form in which and the date by which the annual report of the Board shall be submitted under section 86 and the form and manner of furnishing statistics and returns by the Board under that section.

88. Regulations.—(1) The Board may with the previous approval of the State Government make regulations not inconsistent with this Act and the rules made thereunder to provide for all or any of the following matters, namely:—

(*a*) the administration of the funds and other property of the Board and the maintenance of its accounts;

(*b*) the summoning and holding of meetings of the Board and the times and places at which such meetings shall be held, and the conduct of business thereat and the number of members necessary to constitute a quorum;

(*c*) the duties of officers and servants of the Board, and their salaries, allowances and other conditions of service;

[1][(*d*) the fine which may be imposed for the breach of any bye-law, which may extend to [2][five thousand rupees] [2], and in case of continuing breach the additional fine which may extend to [2] [five hundred rupees][2] for every day, during which the breach continues after receipt of a notice from the Board to discontinue the breach.][1]

(*e*) the procedure to be followed by the Board in inviting, considering and accepting tenders;

(*f*) any other matter arising out of the Board's functions under this Act in which it is necessary or expedient to make regulations.

(2) The power to make regulations under this Act is subject to the condition of previous publication.

1. Substituted by Act 6 of 1966 w.e.f. 17.3.1966.
2. Substituted by Act 15 of 2010 w.e.f. 16.4.2010.

[1][**89. Directions by the State Government.-** The State Government may, issue to the Board such directions as it may think necessary for the purpose of carrying out the functions under this Act and the Board shall comply with such directions.] [1] 1. Substituted by Act 15 of 2010 w.e.f. 16.4.2010.

[1][**89A. Collection of capital contribution from the beneficiary or borrowing loan etc., in respect of any project.-** In furtherance of implementation of any water supply and sanitation projects, the State Government may issue directions to the Board for making funding arrangements, to collect capital contribution from the beneficiaries of the project or through any Local Authority or to borrow loans from funding agencies or to borrow from the market as per requirements of the projects.][1]

1. Deemed to have been inserted by Act 32 of 2010 w.e.f. 01.01.2003.

90. Licenses and written permissions.—(1) Whenever it is provided in this Act or any rule or regulation made thereunder that a licence or a written permission may be granted for any purpose, such licence or written permission shall be signed by the Water Supply Engineer or the Sanitary Engineer, as the case may be, or by the officer empowered to grant the same under this Act or the rules or regulations made thereunder and shall specify in addition to any other matter required to be specified under any other provision of this Act or any provision of any rule made thereunder,—

(*a*) the date of the grant thereof;

(*b*) the purpose and the period (if any) for which it is granted;

(*c*) restrictions or conditions, if any, subject to which it is granted;

(*d*) the name and address of the person to whom it is granted; and

(*e*) the fee, if any, paid for the licence or written permission.

(2) Except as otherwise provided in this Act or any rule or regulation made thereunder, for every such licence or written permission, a fee may be charged at such rate as may from time to time be fixed by the Board and such fee shall be payable by the person to whom the licence or written permission is granted.

(3) Save as otherwise provided in this Act or any rule or regulation made thereunder any licence or written permission granted under this Act or any rule or regulation made thereunder may at any time be suspended or revoked by the Board or by the officer by whom it was granted, if it or he is satisfied that it has been secured by the grantee through misrepresentation or fraud or if any of its restrictions or conditions has been infringed or evaded by the grantee, or if the grantee has been convicted for the contravention of any of the provisions of this Act or any rule or regulation made thereunder relating to any matter for which the licence or permission has been granted:

Provided that,—

(*a*) before making any order of suspension or revocation reasonable opportunity shall be afforded to the grantee of the licence or the written permission to show cause why it should not be suspended or revoked;

(*b*) every such order shall contain a brief statement of the reasons for the suspension or revocation of the licence or the written permission.

(4) When any such licence or written permission is suspended or revoked, or when the period for which the same was granted has expired, the grantee shall, for all

purposes of this Act or any rule made thereunder, be deemed to be without a licence or written permission until such time as the order suspending or revoking the licence or written permission is rescinded or until the licence or written permission is renewed.

(5) Every grantee of any licence or written permission granted under this Act shall at all reasonable times, while such licence or written permission remains in force, if so required by the Board or the authority by whom it was granted, produce such licence or written permission.

91. Powers of entry and inspection.—The Chief Engineer, the Water Supply Engineer, the Sanitary Engineer, or any officer authorised by the Board in this behalf or empowered in this behalf by or under the provisions of this Act, may enter into or upon any land or building with or without assistants and workmen,—

(*a*) for the purpose of ascertaining whether there is or has been on or in connection with the land or building any contravention of the provisions of this Act or any rule or regulation made thereunder;

(*b*) for the purpose of ascertaining whether or not circumstances exist which would authorise or require the Board or any officer authorised or empowered in this behalf to take action or execute any work under this Act or any rule or regulation made thereunder;

(*c*) for the purpose of taking any action or executing any work authorised or required by this Act or any rule or regulation made thereunder;

(*d*) to make any inquiry, inspection, examination, measurement, valuation or survey authorised or required by or under this Act, or necessary for the proper administration of this Act;

(*e*) generally for the purpose of efficient discharge of the functions by any officer of the Board under this Act or any rule or regulation made thereunder.

92. Power to enter land adjoining land in relation to any work.—(1) The Chief Engineer, the Water Supply Engineer, the Sanitary Engineer or any officer authorised in this behalf by the Board or empowered in this behalf by or under any provision of this Act, may enter on any land within fifty metres of any work authorised by or under this Act with or without assistants and workmen for the purpose of depositing thereon any soil, gravel, stone or other materials or for obtaining access to such work or for any other purposes connected with the execution of the same.

(2) The person so authorised shall, before entering on any such land, state the purpose thereof, and shall, if so required by the owner or occupier thereof, fence off so much of the land as may be required for such purpose.

(3) The person so authorised shall, in exercising any power conferred by this section, do as little damage as may be, and compensation shall be payable by the Board in accordance with regulations made in this behalf to the owner or occupier of such land or to both for any such damage, whether permanent or temporary.

93. Breaking into buildings.—(1) It shall be lawful for the Chief Engineer, the Water Supply Engineer, the Sanitary Engineer, or any officer authorised in this behalf by the Board or empowered in this behalf by, or under any provision of this Act, to make any entry into any place, and to open or cause to be opened any door, gate or other barrier,—

(*a*) if he considers the opening thereof necessary for the purpose of such entry; and

(*b*) if the owner or occupier is absent or being present refuses to open such door, gate or barrier.

(2) Before making any entry into any such place or opening or causing to be opened any such door, gate or other barrier, the Chief Engineer, the Water Supply Engineer, the Sanitary Engineer or the person authorised or empowered in this behalf, shall call upon two or more respectable inhabitants of the locality in which the place to be entered into is situate, to witness the entry or opening and may issue an order in writing to them or any of them so to do.

(3) A report shall be made to the Board as soon as may be after any entry has been made into any place or any door, gate or other barrier has been opened under this section.

94. Time of making entry.—Save as otherwise provided in this Act or any regulation made thereunder, no entry authorised by or under this Act shall be made except between the hours of sunrise and sunset.

95. Consent ordinarily to be obtained.—Save as otherwise provided in this Act or any regulation made thereunder, no entry upon or into any land or building shall be made without the consent of the occupier, or if there is no occupier, of the owner thereof and no such entry shall be made without giving the said owner or occupier, as the case may be, not less than twenty-four hours' written notice of the intention to make such entry.

96. Regard to be had to social or religious usages.—When any place used as a human dwelling is entered under this Act, due regard shall be paid to the social and religious customs and usages of the occupants of the place entered, and no apartment in the actual occupancy of a female shall be entered or broken open until she has been informed that she is at liberty to withdraw and every reasonable facility has been afforded to her for withdrawing.

97. Prohibition or obstruction or molestation in execution of work.—No person shall obstruct or molest any person authorised or empowered by or under this Act in the execution of his duty or of anything which he is authorised or empowered or required to do by virtue or in consequence of any of the provisions of this Act or any rule or regulation made thereunder.

98. Notices, etc., to fix reasonable time.—Where any notice, bill, order or requisition issued or made under this Act or any rule or regulation made thereunder requires anything to be done for the doing of which no time is fixed in this Act or the rule or the regulation made thereunder, the notice, bill, order or requisition shall specify a reasonable time for doing the same.

99. Signature on notices, etc., may be stamped.—(1) Every licence, written permission, notice, bill, summons or other document which is required by this Act or any rule or regulation made thereunder to bear the signature of the Water Supply Engineer or the Sanitary Engineer or of any officer authorised or empowered to do so shall be deemed to be properly signed if it bears a facsimile of the signature of any such officer stamped thereupon.

(2) Nothing in sub-section (1) shall be deemed to apply to a cheque.

100. Notices, etc., by whom to be served or issued.—All notices, bills, summons and other documents required by this Act or any rule or any regulation made thereunder to be served upon, or issued to, any person, shall be served or issued by such persons as may be authorised by the Board.

101. Service of notices, etc.—(1) Every notice, bill, summons, order, requisition or other document required or authorised by this Act or any rule or regulation made thereunder to be served or issued on any person shall, save as otherwise provided in this Act or such rule or regulation, be deemed to be duly served,—

(*a*) where the person to be served is a company, if the document is addressed to the secretary of the company at its registered office or at its principal office or place of business and is either,—

(i) sent by registered post, or

(ii) delivered at the registered office or at the principal office or place of business of the company;

(*b*) where the person to be served is a partnership, if the document is addressed to the partnership at its principal place of business, identifying it by the name or style under which its business is carried on, and is either,—

(i) sent by registered post, or

(ii) delivered at the said place of business;

(*c*) where the person to be served is a public body, or a Bruhat Bangalore Mahanagara Palike, society or other body, if the document is addressed to the secretary, treasurer or other head officer of that body, Bruhat Bangalore Mahanagara Palike or society at its principal office, and is either,—

(i) sent by registered post, or

(ii) delivered at that office;

(*d*) in any other case, if the document is addressed to the person to be served and,—

(i) is given or tendered to him, or

(ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business, if within the [1][State of Karnataka][1], or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land or building, if any, to which it relates, or

(iii) is sent by registered post to that person.

(2) Any document which is required or authorised to be served on the owner or occupier of any land or building may be addressed "the owner" or "the occupier", as the case may be, of that land or building (naming that land or building) without further name or description, and shall be deemed to be duly served,—

(*a*) if the document so addressed is sent or delivered in accordance with clause (*d*) of sub-section (1); or

(*b*) if the document so addressed or a copy thereof so addressed, is delivered to some person on the land or building or, where there is no person on the land or building to whom it can be delivered, is affixed to some conspicuous part of the land or building.

(3) Where a document is served on a partnership in accordance with this section, the document shall be deemed to be served on each partner.

(4) For the purpose of enabling any document to be served on the owner of any premises the Water Supply Engineer or the Sanitary Engineer or any other officer authorised or empowered to do so may by notice in writing require the occupier of the premises to state the name and address of the owner thereof.

(5) Where the person on whom a document is to be served is a minor, the service upon his guardian or any adult member of his family shall be deemed to be service upon the minor.

(6) Nothing in sections 99 and 100 and in this section shall apply to any summons issued under this Act by a court.

(7) A servant is not a member of the family within the meaning of this section.

1. Adopted by the Karnataka adaptation of laws order 1973 w.e.f. 1.11.1973.

102. Service of bills for charges or notice of demand by ordinary post.—Notwithstanding anything contained in sections 100 and 101 a bill for any charges or a notice of demand may be served by sending it by ordinary post with a prepaid letter under a certificate of posting addressed to the appropriate person specified in section 101 at his last known place of residence or business and in proving the service of every bill or notice so sent it shall be sufficient to prove that the letter was properly addressed and posted under a certificate of posting.

103. Power in case of non-compliance with notice, etc.—In the event of non-compliance with the terms of any notice, order or requisition issued to any person under this Act or any rule or regulation made thereunder, requiring such person to execute any work or to do any act it shall be lawful for the authority or officer at whose instance the notice, order or requisition has been issued, whether or not the person in default is liable to punishment for such default or has been prosecuted or sentenced to any punishment therefor, after giving notice in writing to such person, to take such action or such steps as may be necessary for the completion of the act or the work required to be done or executed by such person and all the expenses incurred on such account shall be payable to the Board on demand and if not paid within ten days after such demand, shall be recoverable as an arrear of charges payable under this Act.

104. Liability of occupier to pay in default of owner.—(1) If any notice, order or requisition has been issued to any person in respect of property of which he is the owner, the authority or officer at whose instance such notice, order or requisition has been issued, may require the occupier of such property or of any part thereof to pay to him, instead of to the owner, any rent payable by him in respect of such property, as it falls due up to the amount recoverable from the owner under section 103:

Provided that if the occupier refuses to disclose the correct amount of the rent payable by him or the name or address of the person to whom it is payable, the authority or officer may recover from the occupier the whole amount recoverable under section 103 as an arrear of charges payable under this Act.

(2) Any amount recovered from an occupier instead of from an owner under sub-section (1), shall in the absence of any contract between the owner and the occupier to the contrary, be deemed to have been paid to the owner.

105. Execution of work by occupier in default of owner and deduction of expenses from rent.—Whenever the owner of any land or building fails to execute any work which he is required to execute under this Act or any rule or regulation made thereunder, the occupier, if any, of such land or building may, with the approval of the Board, execute the said work and he shall, subject to any contract between the owner and occupier to the contrary, be entitled to recover from the owner the reasonable expenses incurred by him in the execution of the work and may deduct the amount thereof from the rent payable by him to the owner.

106. Relief to agents and trustees.—Where any person, by reason of his receiving rent of immovable property as a receiver, agent or trustee, or of his being as a receiver, agent or trustee the person who would receive the rent if the property were let to a tenant, would under this Act or any rule or regulation made thereunder, be bound to discharge any obligation imposed on the owner of the property for the discharge of which money is required, he shall not be bound to discharge the obligation unless he has, or but for his own improper act or default might have had funds in his hands belonging to the owner sufficient for the purpose.

(2) The burden of proving any fact entitling a receiver, agent or trustee to relief under sub-section (1) shall lie upon him.

(3) Where any receiver, agent or trustee has claimed and established his right to relief under this section, the Board may by notice in writing require him, to apply to the discharge of his obligation as aforesaid the first moneys which may come to his hands on behalf, or for the use, of the owner, and on failure to comply with the notice, he shall be deemed to be personally liable to discharge the obligation.

107. Compensation to be paid by offenders for damage caused by them.—(1) Any person who has been convicted of an offence against this Act or any rule or regulation made thereunder shall, notwithstanding any punishment to which he may have been sentenced for the said offence, be liable to pay such compensation for any damage to the property of the Board resulting from the said offence as the Board may consider reasonable.

(2) In the event of a dispute regarding the amount of compensation payable under sub-section (1) such amount shall, on application made to him, be determined by the magistrate before whom the said person was convicted of the said offence; and on non-payment of the amount of compensation so determined the same shall be recovered under a warrant from the said magistrate as if it were a fine imposed by him on the person liable therefor.

[1][**107A. Interest on delayed payments.-** Any sum due to the Board on account of any charge, costs, expense, fees, rates or rent, prorata charges or any other account under this Act or any rule, regulation or order made there under shall carry interest at the rate fixed by the Board from time to time from the respective due dates till the date of payment or recovery.] [1]

1. Inserted by Act 15 of 2010 w.e.f. 16.4.2010.

108. Mode of recovery of dues.—Any sum due to the Board on account of any charge, costs, expenses, fees, rates or rent or on any other account under this Act or any rule, regulation or order made thereunder may, without prejudice to any other mode of recovery, be recovered from any person from whom such sum is due,—

(*a*) as if it were an arrear of land revenue; or

(*b*) on application to any judicial magistrate, by such magistrate as if it were a fine imposed by him.

[1][**108A. Theft of water**.- (1) Whoever dishonestly obtains water supply through illegal connection or tampers meter or uses tampered meter in any manner resulting in non-recording or wrong recording of consumption of water or damages or destroys water meter/apparatus so as to prevent accurate metering of water consumed, shall be punishable with imprisonment for a term which may extend up to three years or with fine; or with both.

(2) If it is proved that any artificial means or means not authorized by the Board exist for consumption or use of water by the consumer without being recorded by the meter, it shall be presumed that the consumption or use of water has been dishonestly made by such consumer until contrary is proved.

108B. Abetment.- Without prejudice to any penalty or fine which may be imposed or prosecution proceeding which may be initiated under this Act or any other law for the time being in force, whoever including any officer or the employee of the Board or the licensed plumber abets an offence punishable under this Act or enters into or acquiesces in any agreement to do, abstains from

doing, permit's, conceals or connives at any act or tiling whereby any theft of water is committed, he shall be punishable with the same punishment provided for the offence in this Act.][1]

1. Inserted by Act 15 of 2010 w.e.f. 16.4.2010.

[1][**109.General penalty.-** Whoever, in any case in which a penalty is not expressly provided by this Act, fails to comply with any notice, order or requisition issued under any provision of this Act or any rule or regulation or bye-law or otherwise contravenes any of the provisions of this Act or any rule or regulation or bye-law, shall be punishable with imprisonment which may extend to six months or with fine which may extend to five thousand rupees or with both. In the case of a continuing failure or contravention, with an additional fine which may extend to five hundred rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention.][1]

1. Substituted by Act 15 of 2010 w.e.f. 16.4.2010.

[2][[1][**109A. Penalty of pro-rata charges for unauthorized connections.-** Whoever un-authorisedly obtains water supply or sanitary connections or both by any means from the water supply pipelines of the Board or sanitary connections to the sewerage system of the Board in contravention of the provisions of this Act and regulations made thereunder shall, in addition to any other penalty and pro-rata charges payable, be liable to pay upto 50% of the pro-rata charges payable, as determined by the Board, subject to such conditions as may be specified in the regulations for such connection][1]][2]

1. Inserted by Act 15 of 2010 w.e.f. 16.4.2010.
2. Substituted by Act 28 of 2013 w.e.f.11.03.2013.

110. Offences by companies.—(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be- deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(*a*) "company" means a body corporate, and includes a firm or other association of individuals; and

(*b*) "director" in relation to a firm means a partner in the firm.

111. Prosecutions.—Save as otherwise provided in this Act, no court shall proceed with the trial of any offence made punishable by or under this Act or any rule or regulation except on the complaint of, or upon information received from, the Water Supply Engineer, the Sanitary Engineer or any officer authorised by the Board by a general or special order in this behalf.

112. Composition of offences.—(1) The Board or any officer of the Board authorised by it by general or special order in this behalf, may, either before or after the institution of the proceedings, compound any offence made punishable by or under this Act:

Provided that no offence shall be compounded which is committed by failure to comply with a notice, order or requisition issued by or on behalf of the Board unless and until the same has been complied with so far as such compliance is possible.

(2) Where an offence has been compounded, the offender, if in custody, shall be discharged and no further proceedings shall be taken against him in respect of the offence so compounded.

113. Arrest of offenders.—(1) The Chief Engineer, the Water Supply Engineer, the Sanitary Engineer, any officer authorised in this behalf by the Board or any police officer may arrest any person who commits in his view any offence against this Act or against any rule or regulation made thereunder, if,—

(*a*) the name and address of such person be unknown to him, and

(*b*) such person on demand declines to give his name and address or gives a name and address which such officer has reason to believe to be false.

(2) No person so arrested shall be detained in custody after his true name and address are ascertained or, without the order of the nearest magistrate, for a period longer than twenty-four hours from the time of arrest exclusive of the time necessary for the journey from the place of arrest to the court of such magistrate.

114. Duties of police officers and employees of the Bruhat Bangalore Mahanagara Palike.—It shall be the duty of all police officers and employees of the Bruhat Bangalore Mahanagara Palike to give immediate information to the Board or officers of the Board authorised in this behalf, of the commission of, or the attempt to commit, any offence against this Act or any rule or regulation made thereunder and to assist all such officers in the exercise of their lawful authority.

115. Validity of notices and other documents.—No notice, order, requisition, licence, permission in writing or any other document issued under this Act or any rule or regulation shall be invalid merely by reason of defect of form.

116. Admissibility of document or entry as evidence.—A copy of any receipt, application, plan, notice, order or other document or of any entry in a register in the possession of the Board shall, if duly certified by the legal keeper thereof or other person authorised by the Board in this behalf, be admissible in evidence of the existence of the document or entry, and shall be admitted as evidence of the matters and transactions therein recorded in every case where, and to the same extent to which, the original document or entry would, if produced, have been admissible to prove such matters and transactions.

117. Evidence of officers of the Board.—No officer or servant of the Board shall in any legal proceedings to which the Board is not a party, be required to produce any register or document the contents of which can be proved under section 116 by a certified copy, or to appear as a witness to prove any matter or transaction recorded therein save by order of the court made for special cause.

118. Delegation of powers.—The Board may by notification direct that any power conferred or any duty imposed on the Water Supply Engineer or the Sanitary Engineer by or under this Act shall, in such circumstances and under such conditions, if any, as may be specified in the notification, be exercised or performed also by any other officer or servant of the Board specified in the notification.

119. Chief Controlling Authority.—(1) The Board shall be the Chief Controlling authority in respect of all matters relating to the administration of this Act and for that purpose may exercise all powers necessary in that behalf.

(2) The Chief Engineer or any other officer or officers notified by the Board in this behalf may also exercise any power or perform any function which the Water Supply Engineer or the Sanitary Engineer may exercise or perform under this Act or any rule or regulation made thereunder.

120. Appeals.—Any person aggrieved by any decision or order of the Water Supply Engineer or the Sanitary Engineer or other officer under this Act or any rule or regulation made thereunder may within a period of sixty days from the date of such decision or order appeal to the authority prescribed by the regulations and subject to revision by the Board, the orders of the appellate authority on such appeal shall be final.

121. Revision.—The Board may call for the records of any proceedings of any officer subordinate to it for the purpose of satisfying itself as to the legality or propriety of any order or proceeding and may pass such order with respect thereto as it thinks fit.

122. Rules and regulations to be laid before State Legislature, etc.—(1) Every rule or regulation made under this Act and every order made under section 129 shall be laid, as soon as may be after it is made, before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if before the expiry of the said period, either House of the State Legislature makes any modification in any rule or regulation or order or directs that any rule or regulation or order shall not have effect, and if the modification or direction is agreed to by the other House, such rule or regulation or order shall thereafter have effect only in such modified form or be of no effect, as the case may be.

(2) A rule or regulation under this Act may be made with retrospective effect and when such a rule or regulation is made the reasons for making the rule or regulation shall be specified in a statement laid before both Houses of the State Legislature. Subject to any modification made under sub-section (1), every rule or regulation made under this Act shall have effect as if enacted in this Act.

123. Provisions as to employees of the Bruhat Bangalore Mahanagara Palike employed in connection with water supply or sewerage undertakings.—(1) With effect from the date on which Chapter IV or Chapter V as the case may be, comes into force, every officer and other employee of the Bruhat Bangalore Mahanagara Palike employed in connection with the Water Supply Undertaking of the Bruhat Bangalore Mahanagara Palike or the Sewage Undertaking of the Bruhat Bangalore Mahanagara Palike, as the case may be, shall stand transferred to and become an officer or other employee of the Board with such designations as the State Government may determine and shall hold office by the same tenure, at the same remuneration and on the same terms and conditions of service as he would have held the same if he had continued to be an officer or employee of the Bruhat Bangalore Mahanagara Palike and shall continue to do so unless and until such tenure, remuneration and terms and conditions are duly altered by the Board:

Provided that any service rendered by such officer or employee under the Bruhat Bangalore Mahanagara Palike before such transfer shall be deemed to be service rendered under the Board.

(2) The Board may employ any officer or other employee transferred under sub-section (1) in the discharge of such functions under this Act as it may think proper and every such officer or other employee shall discharge those functions accordingly.

124. Members, officers and servants of the Board to be public servants.—(1) All members, officers and servants of the Board shall be deemed, when acting or purporting to act in pursuance of the provisions of this Act or any rule or regulation made thereunder, to be public servants within the meaning of section 21 of the Indian Penal

Code (Central Act 45 of 1860) and the Prevention of Corruption Act, 1947 (Central Act 2 of 1947) for the time being in force.

(2) The words "State Government" and "Government" in section 161 of the Indian Penal Code shall for the purposes of sub-section (1) be deemed to include the Board.

125. Protection of action of the Board, etc.—(1) No suit or prosecution shall be entertained in any court against the Board or against any officer or servant of the Board or against any person acting under the order or direction of the Board or any officer or servant of the Board for anything which is in good faith done or intended to be done under this Act or any rule or regulation made thereunder.

(2) No suit, prosecution or other legal proceeding shall lie against any officer or servant of the Board for any act done or purporting to be done under this Act or any rule or regulation made thereunder without the previous sanction of the Board.

126. Notice to be given of suits.—(1) No suit shall be instituted against the Board or against any officer or servant of the Board or against any person acting under the order or direction of the Board or

any officer or other servant, in respect of any act done, or purporting to have been done in pursuance of this Act or any rule or regulation made thereunder, until the expiration of two months after notice in writing has been left at the office of the Board and, in the case of such officer, servant or person, unless notice in writing has also been delivered to him or left at his office or place of residence, and unless such notice states explicitly the cause of action, the nature of the relief sought, the amount of compensation claimed and the name and place of residence of the intending plaintiff and unless the plaint contains a statement that such notice has been so left or delivered.

(2) Nothing in sub-section (1) shall be deemed to apply to a suit in which the only relief claimed is an injunction of which the object would be defeated by the giving of the notice or the postponement of institution of the suit.

127. Continuation of appointments, notifications, rules, bye-laws, etc.—(1) With effect from the date on which Chapter IV comes into force,—

(*a*) any appointment, notification, order, scheme, rule, bye-law, form or notice made or issued, and any licence or permission granted under the Bruhat Bangalore Mahanagara Municipal Bruhat Bangalore Mahanagara Palike Act, 1949, in so far as it relates to the water supply undertaking, shall continue in force and be deemed to have been made, issued or granted under the provisions of this Act, unless and until it is superseded by any appointment, notification, order, scheme, rule, regulation, form or notice made or issued or any licence or permission granted under the provisions of this Act;

(*b*) all obligations and liabilities incurred, all contracts entered into, all matters and things engaged to be done by, with, or for the Bruhat Bangalore Mahanagara Palike in connection with the water supply undertaking shall be deemed to have been incurred, entered into or engaged to be done by, with, or for the Board;

(*c*) all property, movable and immovable, and all interests of whatsoever nature and kind therein vested in the Bruhat Bangalore Mahanagara Palike in so far as they relate to the water supply undertaking shall, with all rights of whatsoever description used, enjoyed or possessed by the Bruhat Bangalore Mahanagara Palike in respect of the water supply undertaking, vest in the Board;

(*d*) all rates, fees, rents and other sums of money due to the Bruhat Bangalore Mahanagara Palike in connection with the water supply undertaking shall be deemed to be due to the Board;

(*e*) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by or against the Bruhat Bangalore Mahanagara Palike, so far as they relate to the water supply undertaking may be continued or be instituted by or against the Board.

(2) With effect from the date on which Chapter V comes into force,-

(*a*) any appointment, notification, order, scheme, rule, bye-law, form or notice made or issued, and any licence or permission granted under the Bruhat Bangalore Mahanagara Municipal Bruhat Bangalore Mahanagara Palike Act, 1949, in so far as it relates to the sewerage undertaking, shall continue in force and be deemed to have been made, issued or granted under the provisions of this Act, unless and until it is superseded by any appointment, notification, order, scheme, rule, regulation, form or notice made or issued or any licence or permission granted under the provisions of this Act;

(*b*) all obligations and liabilities incurred, all contracts entered into, all matters and things engaged to be done by, with, or for the Bruhat Bangalore Mahanagara Palike in connection with the sewerage undertaking, shall be deemed to have been incurred, entered into or engaged to be done, by, with, or for the Board;

(*c*) all property, movable and immovable, and all interests of whatsoever nature and kind therein vested in the Bruhat Bangalore Mahanagara Palike in so far as they relate to the sewerage undertaking shall, with all rights of whatsoever description used, enjoyed or possessed by the Bruhat Bangalore Mahanagara Palike in respect of the sewerage undertaking, vest in the Board;

(*d*) all rates, fees, rents and other sums of money due to the Bruhat Bangalore Mahanagara Palike in connection with the sewerage undertaking shall be deemed to be due to the Board;

(*e*) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by or against the Bruhat Bangalore Mahanagara Palike, so far as it relates to the sewerage undertaking may be continued or be instituted by or against the Board.

[1][**127A. Acquisition of land.-** (1) Subject to the provisions of this Act and with the previous approval of the State Government, the Board may enter into an agreement with the owner of any land or any interest therein situated within or outside the Bangalore Metropolitan area on such terms and at such price as may be approved to purchase and hold such immovable property or any interest therein for the purpose of this Act.

(2) The State Government having powers of acquisition under Land Acquisition Act, 1894 or any other Act for the time being in force may, at the request of the Board procure the acquisition of any immovable property and such acquisition shall be deemed to be for public purpose.

(3) For the purpose of sub-section (2) of section 50 of the Land Acquisition Act, 1894, the Authority shall be deemed to be the Local Authority concerned.

(4) After the land vests with the State Government under section 16 of the Land Acquisition Act, 1894, the Deputy Commissioner shall upon payment of the cost of acquisition and upon the Board agreeing to pay any further costs which may be incurred on account of acquisition transfer the land to the Board and the land shall there upon vest with the Board.][1]

1. Inserted by Act 15 of 2010 w.e.f. 16.4.2010.

[1][**128. XXX**][1]

1. Omitted by Act 15 of 2010 w.e.f. 16.4.2010.

129. Orders for bringing this Act into force.—(1) Notwithstanding anything contained in this Act or in any other law for the time being in force, the State Government may, by order published in the official Gazette, make such provisions as appear to it to be necessary or expedient,—

(*a*) for bringing the provisions of this Act into effective operation;

(*b*) for making omissions from, additions to and adaptations and modifications of the rules, bye-laws, notifications and orders referred to in clause (*a*) of sub-section (1) of section 127 or clause (*a*) of sub-section (2) of section 127 for purposes of giving effect to the provisions of this Act;

(*c*) for removing difficulties arising in connection with the transition to the provisions of this Act including difficulties in the construing of references to the Bruhat Bangalore Mahanagara Palike or other authorities in any law;

(*d*) for authorising the continued carrying on for the time being by the Board of services and activities carried on by the Bruhat Bangalore Mahanagara Palike; and

(*e*) so far as it appears necessary or expedient in connection with any of the matters aforesaid, for varying the powers or jurisdiction of any authority and empowering other authorities to exercise such jurisdiction as may be specified in such order.

(2) The provisions made by any order under sub-section (1) shall, subject to the provisions of section 122, have effect as if enacted in this Act, and any such order may be made so as to be retrospective to any date not earlier than the date of commencement of this Chapter:

Provided that no person shall be deemed to be guilty of an offence by reason of so much of any such order as makes any provisions thereof retrospective to any date before the making thereof.

SCHEDULE

(*See* section 24)

TABLE

Description of asset	*Number of Years or period*
A. Land owned under full title	Infinite
B. Land held under lease,—	
(*a*) for investment in the land	The period of the lease or the period remaining unexpired on the assignment of the lease.
(*b*) for cost of clearing site	The period of the lease remaining unexpired at the date of clearing the site.
C. Assets purchased new,—	
(*a*) Buildings and civil engineering works of a permanent character, not mentioned above,—	
(*i*) offices.	Fifty
(*ii*) temporary erections such as wooden structures.	Five.
(*iii*) roads other than Kutcha roads.	One hundred.
(iv) others.	Fifty
(*b*) Self-propelled vehicles.	Seven
(*c*) (*i*) Office furniture and fittings.	Twenty.
(*ii*) Office equipment.	Ten.
D. Assets purchased second-hand and assets not otherwise provided for in this Table.	Such reasonable period as the State Government determines in each case having regard to the nature, age and condition of the asset at the time of its acquisition by the owner.

NOTIFICATION

I

Bangalore, dated the 1st December, 1964 [No. PLM 158 MNY 64]

S.O. 1664.—In exercise of the powers conferred by sub-section (2) of section 1 of the Bangalore Water Supply and Sewerage Act, 1964 (Karnataka Act 36 of 1964), the Government of Karnataka hereby appoints the 1st day of December 1964 as the date on which Chapter IV of the said Act shall come into force.

By Order and in the name of the Governor of Mysore,

(L.A.DHAMANIGI)

Deputy Secretary.

II

Bangalore, dated the 1st December, 1964 [No. PLM 154 MNY 64]

S.O. 1665.—In exercise of the powers conferred by sub-section (2) of section 1 of the Bangalore Water Supply and Sewerage Act, 1964 (Mysore Act 36 of 1964), the Government of Mysore hereby appoints the 2nd day of December 1964 as the date on which Chapter V of the said Act shall come into force.

By Order and in the name of the Governor of Mysore,

(L.A.DHAMANIGI)

Deputy Secretary.

* * *

The Bangalore Water Supply and Sewerage Act, 1964 has been amended by the following Acts, namely.-

Amendments (Chronological)

Sl.No.	Act No. and year	Sections Amended	Remarks
1.	36 of 1964	2	The Chapter I, II, III, & VI came into force w.e.f.10.9.64 and the chapter IV came into force w.e.f. 1.12.1964 vide Notifn. PLM 158 MNY 64 dt.1.12.64 and Chapter V came into force w.e.f. 2.12.1964 vide Notfn. PLM 154 MNY 64 dt. 1.12.64
2	6 of 1966	2(3A), 2(11), 3(3), 5(1), 6(1), 7(1), 13, 15(2), 16, 18(1), 23, 24(1), 24(2), 24A, 24B, 25(1)(5), 26, 44(2), 44(3), 47(2), (3), 61, 65(1), 74, 84(2), 84A, 86(2) (3), 88(1), 89(1), 109	w.e.f. 17.3.1966
3	10 of 1996	31(1)	w.e.f. 31.3.1966
4	KAL Order 1973	Preamble, Title, 4, 101(1)	w.e.f. 1.11.1973
5	18 of 1984	25(1) (2)(3)(4), 33	w.e.f. 21.4.1984

Amendments (section-wise)

Sections Amended	Act No. and Year	Remarks
Preamble, Title	KAL Order 1973	w.e.f. 1.11.1973
2	6 of 1966	w.e.f. 17.3.1966
3	6 of 1966	w.e.f. 17.3.1966
4	KAL Order 1973	w.e.f. 1.11.1973
5	6 of 1966	w.e.f. 17.3.1966
6	6 of 1966	w.e.f. 17.3.1966
7	6 of 1966	w.e.f. 17.3.1966
13	6 of 1966	w.e.f. 17.3.1966
16	6 of 1966	w.e.f. 17.3.1966
18	6 of 1966	w.e.f. 17.3.1966
23	6 of 1966	w.e.f. 17.3.1966
24	6 of 1966	w.e.f. 17.3.1966
24A 24B	6 of 1966 6 of 1966	w.e.f. 17.3.1966 w.e.f. 17.3.1966
25	a) 6 of 1966 b) 18 of 1984	w.e.f. 17.3.1966 w.e.f. 17.3.1966
26	6 of 1966	w.e.f. 17.3.1966
31	10 of 1966	w.e.f. 31.3.1966
33	18 of 1984	w.e.f. 21.4.1984
44	6 of 1966	w.e.f. 17.3.1966
47	6 of 1966	w.e.f. 17.3.1966
61	6 of 1966	w.e.f. 17.3.1966
65	6 of 1966	w.e.f. 17.3.1966
74	6 of 1966	w.e.f. 17.3.1966
84	6 of 1966	w.e.f. 17.3.1966
84A	6 of 1966	w.e.f. 17.3.1966
86	6 of 1966	w.e.f. 17.3.1966

88	6 of 1966	w.e.f. 17.3.1966
89	6 of 1966	w.e.f. 17.3.1966
101	KAL Order 1973	w.e.f. 1.11.1973
109	6 of 1966	w.e.f. 17.3.1966

KARNATAKA ACT NO. 32 OF 2010

THE BANGALORE WATER SUPPLY AND SEWERAGE (AMENDMENT) ACT, 2010

(Received the assent of the Governor on the Twenty fourth day of July, 2010)

An Act further to amend the Bangalore Water Supply and Sewerage Act, 1964.

Whereas, it is expedient further to amend the Bangalore Water Supply and Sewerage Act, 1964 (Karnataka Act 36 of 1964), for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the sixty First year of the Republic of India as follows:-

1. Short title and commencement: (1) This Act may be called the Bangalore Water Supply and Sewerage (Amendment) Act, 2010.

(2) It shall come into force at once.

(Section 2 is incorporated in the principal Act)

3. Validation of assessment and collection of capital contribution.- Notwithstanding anything contained in any judgment, decree or order of any Court, Tribunal or other authority to the contrary any direction through an order issued by the State Government to the Board for making funding arrangements, to collect capital contribution from the beneficiaries of any project (hereinafter referred to as capital contribution) or through a Local Authority as per requirements of the project and assessment or collection of any capital contribution from the beneficiaries of the project in accordance with such direction or order of the State Government made or purporting to have been made and any action or thing taken or done (including any notices or orders issued) or assessment made and all proceedings held and any collection of capital contribution or amount purported to have been collected by way of capital contribution in relation to such assessment or collection in respect of such project with effect from 1st January 2003 shall be and shall be deemed to be valid and effective, as if such assessment or collection or action or thing, had been made, taken or done under the principal Act, as amended by this Act and accordingly,-

(a) all acts, proceedings or things done or any action taken by any Local Authority or as the case may be, the Board or any of its officer in connection with the assessment or collection of such capital contribution in respect of such project for all purposes be deemed to be, and to have always been done or taken in accordance with law;

(b) no suit or other proceedings shall be maintained or continued in any Court or Tribunal or before any authority for the refund of any such capital contribution; and

(c) no court shall enforce any decree or order directing the refund of any such capital contribution.

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KARNATAKA ACT NO. 28 OF 2013

(First published in the Karnataka Gazette Extra-ordinary on the eleventh day of March, 2013)

THE BANGALORE WATER SUPPLY AND SEWERAGE (AMENDMENT) ACT, 2013

(Received the assent of the Governor on the fifth day of March, 2013)

An Act further to amend the Bangalore Water Supply and Sewerage Act, 1964.

Whereas, it is expedient further to amend the Bangalore Water Supply and Sewerage Act, 1964 (Karnataka Act 36 of 1964), for the purposes hereinafter appearing; Be it enacted by the Karnataka State Legislature in the sixty-fourth year of the Republic of India as follows:-

1. **Short title and commencement.-** (1) This Act may be called the Bangalore Water Supply and Sewerage (Amendment) Act, 2013.

(2) It shall come into force at once.

(Section 109A is incorporated in the principal Act)

2. Substitution of section 109A.- In the Bangalore Water Supply and Sewerage Act, 1964

(Karnataka Act 36 of 1964), for section 109A, the following shall be substituted, namely:-

"109A. Penalty of pro-rata charges for unauthorized connections.- Whoever un-authorisedly obtains water supply or sanitary connections or both by any means from the water supply pipelines of the Board or sanitary connections to the sewerage system of the Board in contravention of the provisions of this Act and regulations made thereunder shall, in addition to any other penalty and pro-rata charges payable, be liable to pay upto 50% of the pro-rata charges payable, as determined by the Board, subject to such conditions as may be specified in the regulations for such connection."

THE BANGALORE WATER SUPPLY AND SEWERAGE (AMENDMENT) ACT, 2016

(Received the assent of the Governor on the Twenty Ninth day of July, 2016)

An Act further to amend the Bangalore Water Supply and Sewerage Act, 1964.

Whereas, it is expedient further to amend the Bangalore Water Supply and Sewerage Act, 1964 (Karnataka Act 36 of 1964) for the purposes hereinafter appearing; Be it enacted by the Karnataka State Legislature in the sixty-seventh year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Bangalore Water Supply and Sewerage (Amendment) Act, 2016.

(2) It shall come into force at once.

(Section 72A is incorporated in the principal Act)

KARNATAKA ACT NO. 02 OF 2017

(First Published in the Karnataka Gazette Extra-ordinary on the 04th day of January, 2017)

THE BANGALORE WATER SUPPLY AND SEWERAGE (SECOND AMENDMENT) ACT, 2016

(Received the assent of the Governor on the 31st day of December, 2016)

An Act further to amend the Bangalore Water Supply and Sewerage Act, 1964.

Whereas, it is expedient further to amend the Bangalore Water Supply and Sewerage Act, 1964 (Karnataka Act 36 of 1964) for the purposes hereinafter appearing: Be it enacted by the Karnataka State Legislature in the sixty-seventh year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Bangalore Water Supply and Sewerage (second Amendment) Act, 2016.

(2) It shall come into force at once.

(Section 15 is incorporated in the principal Act)

THE BANGALORE WATER SUPPLY AND SEWERAGE (AMENDMENT) ACT, 2021

(Received the assent of the Governor on the 5th day of October, 2021)

An Act to further amend the Bangalore Water Supply and Sewerage Act, 1964.

Whereas, it is expedient further to amend the Bangalore Water Supply and Sewerage Act, 1964 (Karnataka Act 36 of 1964) for the purposes hereinafter appearing:

Be it enacted by the Karnataka State Legislature in the seventy second year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Bangalore Water Supply and Sewerage (Amendment) Act, 2021.

(2) It shall come into force at once.

2. Substitution of section 72A.- In the Bangalore Water Supply and Sewerage Act, 1964 (Karnataka Act 36 of 1964) for section 72A, the following shall be substituted, namely:-

"**72A. Obligation to provide rain water harvesting structure.-** (1) Every owner who proposes to construct a building on a sital area of not less than 108 square meter shall provide rain water harvesting structure for storage, for use or for ground water

recharge in such manner and subject to such conditions as may be provided in the regulations and guidelines issued by the Board.

(2) Every owner or occupier of a building having sital area of not less than 216 square meter and not more than 1000 square meter, who has not provided rain water harvesting structure before the commencement of the Bangalore Water Supply and Sewerage (Amendment) Act, 2021, shall provide rainwater harvesting structure for storage, for use and for ground water recharge subject to such conditions as may be specified in the regulations.

(3) Every owner who proposes to construct a building on sital area of not less than 1000 square meter or a owner or occupier of a building having sital area of not less than 1000 square meter who has not provided rain water harvesting structure before the commencement of the Bangalore Water Supply and Sewerage (Amendment) Act, 2021 shall provide dual piping system and rain water harvesting structure for storage and for use, other than drinking, cooking and bathing purpose, based on roof area and ground water recharge based on paved and unpaved areas in such manner and subject to such conditions as may be provided in the regulations and guidelines issued by the Board.

Explanation.- For the purpose of this section,-

(a) "rain water harvesting" means collection and storage of rain water from roof top of a building or from a vacant land for use or for ground water recharge; and

(b) "ground water recharge" means recharging of open well or the bore well or the underground water as the case may be, by use of harvested rain water."

By Order and in the name of
the Governor of Karnataka,

G. SRIDHAR
Secretary to Government
Department of Parliamentary Affairs
and Legislation

KARNATAKA ACT NO. 61 OF 2025

THE KARNATAKA DECRIMINALISATION (AMENDMENT OF PROVISIONS) ACT, 2025

(Received the assent of the Governor on the 11th day of September, 2025)

An Act to amend certain enactments for decriminalising and rationalising offences and to further enhance trust-based governance for ease of living and doing business.

Whereas it isto amend certain enactments for decriminalising and rationalising offences and to further enhance trust-based governance for ease of living and doing business and for matters connected therewith for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy sixth year of the Republic of India, as follows:-

1. Short title, commencement and application.- (1) This Act may be called the Karnataka Decriminalisation (Amendment of Provisions) Act, 2025.

(2) It shall come into force on such date as the Government of Karnataka may, by notification in the Official Gazette, appoint and different dates may be appointed for amendments relating to different enactments.

(3) The amendment of any enactment by this Act shall not affect any other enactment in which the amended enactment has been applied, incorporated or referred to.

(4) This Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or

incurred or any remedy or proceeding in respect thereof, or any release or discharge of, or from any debt, penalty, obligation, liability, claim or demand or any indemnity already granted, or the proof of any past act or thing;

(5) This Act shall not affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, or recognised or derived by, in or from any enactment hereby amended.

(6) The amendment of any enactment by this Act shall not revive restore any jurisdiction, office, custom, liability, right, title, privilege,

restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

2. Amendment of Karnataka Act 36 of 1964.- In the Bangalore Water Supply and Sewerage Act, 1964 (Karnataka Act 36 of 1964),- (1) In section 62,-

(a) after clause (b), in the hanging para, the words, "with imprisonment which may extend to six months or", shall be omitted; (b) in clause (i).-

(i) for the word "fine", the word "penalty", shall be substituted; and

(ii) the words "or with both" shall be omitted;

(c) for the table and the entries relating thereunder the following table, shall be substituted, namely:-

"TABLE

Provisions of the Act	**Subject**	**Maximum penalty which may be imposed**	**Daily penalty which may be imposed**
(1)	**(2)**	**(3)**	**(4)**
Section 28	Trespassing on premises connected with water supply.	10,000	-
Section 30	Failure to maintain house connections in conformity with regulations	10,000	-
Section 32 Sub-Section (2)	Occupying or allowing occupation of house without proper water supply	10,000	-
Section 32 Sub-Section (3)	Failure to comply with requisition to make house connection	10,000	100
Section 34	Use for non-domestic purposes of water supplied for domestic purposes	50,000	100
Section 49	Waste or misuse of water	50,000	-
Section 50	Refusal of admittance, etc	10,000	-
Section 52 Sub-section (1)	Laying of water pipes, etc., in a position where the same may be injured or water therein polluted	50,000	100
Section 59 Sub-section (1)	Execution of work by a person other than a licensed plumber	20,000	-
Section 59 Sub-section (2)	Failure to furnish when required name of licensed plumber employed	10,000	-

Section 59	Licensed plumbers not to demand	10,000	-
Provisions of the Act	**Subject**	**Maximum penalty which may be imposed**	**Daily penalty which may be imposed**
(1)	**(2)**	**(3)**	**(4)**
Sub-section (6)	more than the charges prescribed		
Section 59 Sub-section (8)	Licensed plumbers not to contravene regulations or execute work carelessly or negligently, etc.,	10,000	-
Section 60	Prohibition of willful or neglectful acts relating to water works.	50,000	-

"

(2) in section 85,-

(a) after clause (b), in the hanging para, the words, "with imprisonment which may extend to six months or", shall be omitted;

(i) in clause (i) for the word "fine", the word "penalty", shall be substituted; and

(ii) the words "or with both", shall be omitted.

(b) for the table and the entries relating thereto, the following table and entries relating thereto, shall be substituted, namely:-

"TABLE

Provisions of the Act	**Subject**	**Maximum penalty which may be imposed**	**Daily penalty which may be imposed**
(1)	**(2)**	**(3)**	**(4)**
Section 65	Injury to, or interference with free flow of contents of Board sewers or drains or sewers communicating with Board sewers	50,000	500
Section 66 Sub-section (2)	Private drain not to be connected with Board sewers without notice	10,000	100
Section 67	Non-compliance with requisition for drainage of un-drained premises	20,000	200
Section 68	Erection of new premises without drains	50,000	-
Section 69	Non-compliance with requisition for maintenance of drainage works for any group or block of premises	50,000	
Section 70	Non-compliance with direction to close or limit the use of private drains in certain cases	50,000	-
Section 71	Non-compliance with Sanitary Engineer's orders regarding the use of a drain by a	50,000	-
Provisions of the Act	**Subject**	**Maximum penalty which may be imposed**	**Daily penalty which may be imposed**
(1)	**(2)**	**(3)**	**(4)**

	person other than the owner thereof		
Section 72	Non-compliance with requisition for keeping sewage and rain water drains distinct	50,000	-
Section 73	Non-compliance with requisition for the pavement of court yard *etc.,*	10,000	-
Section 75	Connection with Board sewers without written permission	50,000	500
Section 78 sub-section (4)	Non-compliance with requisition to close, remove or divert a pipe or drain	50,000	500
Section 82 sub-section (1)	Execution of work by a person other than a licensed plumber	50,000	-
Section 82 sub-section (2) read with section 59 (2)	Failure to furnish when required name of licensed plumber employed	10,000	-
Section 82 sub-section (6) read with section 59(2)	Licensed plumbers not to demand more than the charges prescribed	50,000	-
Section 82 sub-section (8) read with section 59(2)	Licensed plumbers not to contravene regulations or execute work carelessly or negligently. *Etc.,*	50,000	-

”

The above translation of ಕರ್ನಾಟಕ ನಿರಪರಾಧೀಕರಣ (ಉಪಬಂಧಗಳ ತಿದ್ದುಪಡಿ) ಅಧನಿಯಮ, 2025 (2025ರ ಕರ್ನಾಟಕ ಅಧನಿಯಮ ಸಂಖ್ಯೆ: 61) be India.

THAAWARCHAND GEHLOT
GOVERNOR OF KARNATAKA
By Order and in the name of
the Governor of Karnataka,
G. SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation