

ACT No XVIII OF 1938.

[PASSED BY THE INDIAN LEGISLATURE.]

(Received the assent of the Governor General on the 9th April, 1938.)

An Act further to amend the Delhi Joint Water Board Act, 1926.

WHEREAS it is expedient to provide for the maintenance of the works established to dispose of sewage in bulk for the urban area of the City of Delhi and to improve the provision relating to the supply of drinking water in bulk, and for that purpose further to amend the Delhi Joint Water Board Act, 1926; It is hereby enacted as follows:—

1. (1) This Act may be called the Delhi Joint Water Board (Amendment) Act, 1938. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the official Gazette, appoint.

2. In the long title and preamble of the Delhi Joint Water Board Act, 1926 (hereinafter referred to as the said Act),— Amendment of long title and preamble, Act XXIII of 1926.

(a) after the words "to supply drinking water" the words "and to dispose of sewage" shall be inserted, and

(b) for the words "a Joint Water Board" the words "a Joint Water and Sewage Board" shall be substituted.

3. In sub-section (1) of section 1 of the said Act, for the words "Delhi Joint Water Board Act" the words "Delhi Joint Water and Sewage Board Act" shall be substituted. Amendment of section 1, Act XXIII of 1926.

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Amendment of
section 2, Act
XXIII of 1926.

4. In section 2 of the said Act,—

(a) in clause (a), for the words "Delhi Joint Water Board" the words "Delhi Joint Water and Sewage Board" shall be substituted, and

(b) in clause (c),—

(i) in sub-clause (iii), for the words and brackets "Delhi (New) Cantonments" the words "Delhi Cantonment" shall be substituted, and

(ii) for sub-clause (iv) the following sub-clause shall be substituted, namely:—

"(iv) the New Delhi Municipal Committee".

Amendment of
section 3, Act
XXIII of 1926.

5. In sub-section (1) of section 3 of the said Act, for the words "Joint Water Board" the words "Joint Water and Sewage Board" shall be substituted.

Amendment of
section 4, Act
XXIII of 1926.

6. In sub-section (1) of section 4 of the said Act, for the words "Delhi Joint Water Board" the words "Delhi Joint Water and Sewage Board" shall be substituted.

Amendment of
section 5, Act
XXIII of 1926.

7. In section 5 of the said Act,—

(a) after the word and letter "Parts A" the letters ", AA" shall be inserted; and

(b) after the words "the Delhi Municipal Committee" the words "the New Delhi Municipal Committee" shall be inserted.

Amendment of
section 6, Act
XXIII of 1926.

8. In section 6 of the said Act,—

(a) after the words "for the purpose of the efficient supply of water" the words "or for the purpose of the efficient disposal of sewage" shall be inserted; and

(b) after the words "any constituent body" the words "or the public" shall be inserted.

Amendment of
section 8, Act
XXIII of 1926.

9. In section 8 of the said Act,—

(a) in sub-section (1), after the words "maintain a fund" the words "or funds" shall be inserted; and

(b) in

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(b) in clauses (a) and (b) of sub-section (2), for the words "the fund" the words "any such fund" shall be substituted.

10. In section 10 of the said Act, for the words "specified in Part B of Schedule I", wherever they occur, the words "specified in Division I of Part B of Schedule I" and for the words "specified in that Part" the words "specified in Division I of that Part" shall be substituted, respectively. Amendment of section 10, Act XXIII of 1926.

11. After the proviso to section 11 of the said Act the following proviso shall be added, namely:— Amendment of section 11, Act XXIII of 1926.

"Provided further that, if the Central Government, in consequence of the extension of the urban area of the city of Delhi, requires the Board to make additional provision for the supply of water in bulk at any place, the Board shall be bound to make such provision."

12. To section 13 of the said Act the following sub-section shall be added, namely:— Amendment of section 13, Act XXIII of 1926.

"(5) Nothing in this section shall preclude the Board from arranging with the consent of the constituent bodies and in accordance with any order issued by the Chief Commissioner for advance payments by the constituent bodies of the cost (calculated at the collecting rate) of such quantities of water as are likely to be supplied to the constituent bodies in each quarter or such other period as may be prescribed by the Chief Commissioner."

13. After section 14 of the said Act the following heading and sections shall be inserted, namely:— Insertion of new heading and new sections 14A, 14B and 14C in Act XXIII of 1926.

"Disposal of sewage and payment therefor.

14A. (1) The Board shall be bound to receive in bulk from each constituent body except the Military Engineer Services, Delhi Cantonment, all sewage delivered by such body and to dispose of such sewage: Disposal of sewage.

Provided
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Provided that no constituent body by which sewage is delivered may execute any major work calculated to increase the normal discharge of sewage without the concurrence of the Board.

(2) Sewage received in pursuance of the provisions of sub-section (1) shall be the property of the Board and any income derived from the sale of effluent or sludge shall be credited to the appropriate fund of the Board.

(3) If any disagreement arises between a constituent body and the Board as to the effect of the execution of any work or the doing of any thing, the matter shall be referred to the Central Government whose decision shall be final.

Constituent
bodies to pay
cost of disposal
of sewage.

14B. (1) Subject to the provisions of section 15, the total net cost of the disposal of all sewage shall be paid by the constituent bodies other than the Military Engineer Services, Delhi Cantonment, each body contributing such proportion thereof as the Central Government may from time to time determine :

Provided that any proportion so determined shall not be changed until the expiry of a period of five years.

(2) In determining the total net cost of the disposal of all sewage there shall be taken into account as expenditure of the Board—

- (a) all establishment charges, including all expenditure upon repairs and maintenance not debitable to the fund established under section 8 ;
- (b) repayments of principal, and payments of interest, in respect of any loan taken by the Board under section 6 ; and
- (c) payments into the fund established under section 8 exclusive of any such income from interest on the balance of the fund as is under rules made by the Central Government under that section to be deemed the current revenue of the Board.

14C. (1) The

14C. (1) The estimated net cost of the disposal of sewage increased by five per cent. shall be payable on demand by each constituent body after the close of each quarter of each financial year in accordance with the proportions fixed under sub-section (1) of section 14B.

Manner of payment by constituent body of proportion of cost of disposal of sewage.

(2) If the sum so paid by any constituent body in any financial year exceeds or is less than the sum payable by it on the basis of the actual cost as determined under section 14B, the payments to be made by that body in the following financial year shall be adjusted accordingly.

(3) Nothing in this section shall preclude the Board from arranging with the consent of the constituent bodies and in accordance with any orders issued by the Chief Commissioner for advance payment by the constituent bodies of such portion of the cost of the disposal of sewage as is likely to be borne by them in each quarter or such other period as may be prescribed by the Chief Commissioner."

14. After section 14C of the said Act as inserted by section 13 the following heading shall be inserted, namely:—

Insertion of new heading after section 14C, Act XXIII of 1926.

"Settlement of disputes, and recovery of sums due from constituent bodies."

15. In section 22 of the said Act,—

Amendment of section 22, Act XXIII of 1926.

(a) in sub-section (1), after the words "or pipes", wherever they occur, the words "or sewers" shall be added; and

(b) in the proviso to sub-section (2), after the words "the supply of water" the words "or the disposal of sewage" shall be inserted.

16. In section 26 of the said Act,—

Amendment of section 26, Act XXIII of 1926;

(a) in clause (b), for the words "water work" the words "water or sewage work" shall be substituted;

(b) after clause (c) the following clause shall be inserted, namely:—

"(cc) unlawfully obstructs the flow of, or flushes, draws off, diverts or takes sewage from any
sewage

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sewage work belonging to the Board, or breaks or damages any electrical transmission line maintained by the Board, or”;

and

(c) in clause (d), for the words “water work” the words “water or sewage work” shall be substituted.

Amendment of
Schedule I,
Act XXIII of
1926.

17. In Schedule I to the said Act,—

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

“PART AA.

LIST OF WORKS TAKEN OVER FROM THE NEW DELHI MUNICIPAL COMMITTEE.

The original 66” outfall sewer from Q Point to Kilokri with ventilating shafts, manholes, and nullah crossings.”

(b) in Part B—

(i) after the heading “LIST OF WORKS TAKEN OVER FROM THE GOVERNMENT” the sub-heading “Division I” shall be inserted ;

(ii) in entry No. 6, for the words “*New Cantonments*” the words “*Delhi Cantonment*” shall be substituted ;

(iii) after entry No. 7 the following sub-heading and entries shall be added, namely :—

“Division II.

1. *Old works at Kilokri*—

(a) The original Detritus Chamber.

(b) Pumping Station comprising boiler room, chimney, pump room, coal store, workshop, office, and store, and latrines, drains, and pipelines connected thereto.

(c) Pumping Plant comprising three boilers, three pumps, economiser, feed pumps, electric generating plant, circulating pipes, crane,

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two weighbridges, and other accessories.
One electric pump with switchgear and rising main.

- (d) Workshop Equipment comprising two Lathes, 24" drilling machine, blower, shafting machine, and (partly worn out) motor shafting, bench and hand tools, forge.
- (e) Switchboard and lighting equipment in and around original plant.
- (f) Venturi meter.
- (g) Rising main.
- (h) Well, Regulators, Sedimentation Tank, Aeration Bed, and Storage Tanks for circulating water, and pipes, drains and sewers connected therewith.
- (i) Residential Buildings comprising Superintendent's Bungalow and garden, 62 quarters with sanitary accommodation and 19 quarters with adjacent buildings converted from the old Railway Station Buildings.
- (j) Roads, fencing, trenching area, storm drains and culverts in area being taken over. Regulators and materials of channels in Sewage Farm.

2. Works included in the Delhi Sewerage Disposal Scheme to be completed in 1938—

(1) New Delhi to Kilokri—

- (a) Storm Overflow at Point "Q" with control penstock.
- (b) 66" dia. Out-fall Sewer from Point "Q" to Kilokri.

(2) At Kilokri—

- (a) Penstock Chamber and 66" penstocks.
- (b) Detritus and screening plant with all ancillary works.
- (c) New Pumping Station Building which also contains workshop, office and store rooms and suction pumps connecting with existing work.
- (d) Pumping

(d) Pumping Plant comprising—

- (i) Three electric pumping units of 12 m.g.d. capacity.
- (ii) Two electrically operated exhausters.
- (iii) Two electrically operated bilge pumps.
- (iv) Two electrically operated gland sealing pumps.
- (v) Necessary penstocks valves, suction and delivery piping for items (i) to (iv).

(e) Overhead travelling crane.

(f) Low tension switchgear.

(g) Two transformers.

(h) High tension switchgear.

(i) Two overhead travelling cranes in workshop.

(j) Workshop equipment.

(k) Electric lighting and fans for building.

(l) One 44" Venturi meter and recorder.

(m) Roads and pathways.

(n) Rising main 44" dia. 800' long with control valves and outlet chamber.

(3) From Kilokri to Disposal Works—

Gravity Duct in masonry, approximately 16,500' long.

(4) At Disposal Works—

(a) Bio-aeration plant consisting of 12 preliminary settling tanks, 108 aeration pockets and 48 final settling tanks, the whole with necessary valves, piping, motors, shafting and other operating gear.

(b) Sludge Pump House and four electrically operated sludge pumps and accessories.

(c) Two portable electrically operated dewatering pumps and accessories.

(d) Transformer

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- (d) Transformer House containing high tension switchgear, transformers, low tension switchgear, overhead crane and other accessories.
- (e) Electric Cables supplying power and lighting circuits.
- (f) Office building containing Assistant Superintendent's Office, laboratory and equipment, clerks' rooms, store, and laboratories and furniture.
- (g) Assistant Superintendent's Bungalow with four rooms.
- (h) Five Drivers' Quarters, each with two rooms.
- (i) Fifteen single room quarters.
- (j) Necessary water supply, sanitary and electrical services for items (f) to (i).
- (k) Roads and pathways inside Disposal Works Compound, boundary fence and gates, trees and lawns.
- (l) Electric lighting for whole installation.
- (m) Sludge drying beds and Return Sludge pumping plant with necessary flow and return piping to main plant.
- (n) Three Venturi flumes with electrical recording gear.

(5) *Disposal Works to River—*

Effluent channel with pitched bed and sides including aqueduct crossing over the Agra Canal.

(6) *New Delhi Power House to Disposal Works—*

6600 Volt transmission line to the Disposal Works with branch to New Pumping Station including railway and road crossings.

3. *General—*

- (1) Any other work constructed as part of the Delhi Sewage disposal scheme that the Central Government may hand over to the Board.

(2) All

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(2) All land acquired for or occupied by the works mentioned in Part AA and in Division II of Part B of this Schedule, including the sites of the Kilokri and Muttra Road Plants."

Amendment of
Schedule II
Act XXIII of
1926.

18. In Schedule II to the said Act,—

- (a) in entry (d), for the words "Imperial Delhi Municipal Committee" the words "New Delhi Municipal Committee" shall be substituted ; and
- (b) in entry (e), for the words and brackets "Delhi (New) Cantonments" the words "Delhi Cantonment" shall be substituted.