The Hyderabad Metropolitan Water Supply (Validation of Water Rates and Service Charges) Act, 1988

Act 30 of 1988

Keyword(s):
Area, Consumer, Department, Rate

ACT NO. 30 OF 1988

[14th September, 1988]

An Act to regulate the levy and collection of Water Charges in the twin-cities of Hyderabad and Secunderabad in the State of Andhra Pradesh.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Thirty ninth Year of the Republic of India, as follows:—

1. (1) This Act may be called the Hyderabad Metropolitan Water Supply (Validation of Water Rates and Service Charges) Act, 1988.

(2) It shall be deemed to have come into force on the 18th November, 1986.

*Received the assent of the Governor on the 13th September, 1988. For Statement of Objects and Reasons, please see the Andhra Pradesh Gazette, Part IV-A, Extraordinary, dated the 10th August, 1988, at pages 5 & 6.*

[253]
2. In this Act, unless the context otherwise requires,—

(a) 'area' means such portion of the Hyderabad City and the Hyderabad District, which are now served by the Hyderabad Metro Water Works and shall include such other area as the Government may, by notification in the official Gazette include in the area to be served by the Hyderabad Metro Water Works;

(b) 'authority' means the Hyderabad Metro Water Works Authority constituted under section 3 of this Act;

(c) 'consumer' means any owner or occupant of a house building, factory, garden, open ground which is served by a pipe connection from the Hyderabad Metro Water Works and includes any society, association, body or group which is the owner or occupier of such building, factory, garden or open ground;

(d) 'department' means the Hyderabad Metro Water Works Department;

(e) 'rate' means the amount payable by a consumer to the Department for the water consumed from the pipe connection taken from the Hyderabad Metro Water Works according to the scale of charges fixed by the Authority from time to time under section 5.

3. For the purposes of this Act, the Minister for Municipal Administration Department shall be the Hyderabad Metro Water Works Authority.

4. The Authority may, by notification, order,—

(i) the fixing within such time as may be specified in the said notification by the consumers at their own cost, of meters of all pipe connections, whether new or existing unmetered connections within the whole of the area or a part thereof;
(b) the disconnection of water supply, should any consumer fail to comply with such order; or

(2) the fixing of meter departmentally or otherwise at the cost of the consumer.

5. The authority may, by notification order the

Power to collection by the department of a rate from every

consumer either according to the size of the pipe

connection or upon fixing of meters on the quantity

of water consumed as measured by the meters.

6. The authority may, by notification from time
to time, fix and vary the rate, for the metered and
non-metered, filtered and unfiltered water according
to the nature, of the use of the water is put to, whether
for the domestic, commercial, industrial or any other
purpose as the case may be.

7. The authority may, by notification, order the
Power to fix
collection by the Department of a rate, from every

consumer and the pipeline service charges for giving Service

new connections, according to the nature of the use of the water is put to, whether for domestic, commercial,
industrial or any other purpose as the case may be,
and may vary the rates from time to time.

8. Notwithstanding anything in any Judgement, decree, order of any Court or Tribunal or other
Authority to the contrary, no levy and collection of water charges as specified in G.O. Ms. No. 645,
Housing, Municipal Administration and Urban Development Department, dated the 29th November, 1986
and in G.O. Ms. No. 953, Housing, Municipal Administration and Urban Development Department,
dated the 27th November, 1987 and no collection of pipeline service charges as specified in G.O. Ms. No.
635, Housing, Municipal Administration and Urban
Development Department, dated the 18th November, 1986, from the consumer whether for domestic, commercial, industrial or any other purposes as the case may be, shall be deemed to be invalid or ever to have become invalid by reason only of the fact that such levy and collection was made when no provision for such levy and collection was made and accordingly the levy and collection of the water rates and pipeline service charges as specified in the aforesaid Government orders shall be deemed to have been levied and collected under the said orders as if this Act, was in force on the day on which the charges were so levied and collected and accordingly,—

(a) no suit or other proceeding shall be maintained or continued in any court against the State Government or any person or authority whatsoever for the refund of any water rate or pipeline service charges; and

(b) no court shall enforce any decree or order directing the refund of such charges.
