Tamil Nadu Panchayats (Prohibition and Regulation of the Use of Public or Private Springs, Tanks, Wells) Rules, 1999

(G.O.Ms.No.158, Rural Development (C4), dated 2nd August, 1999)

In exercise of the powers conferred by sub-section (1) of Section 242 of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) and in supersession of the Rules relating to Prohibition and Regulation of the use of Public or Private Springs, Tanks, Wells, etc., the Governor of Tamil Nadu hereby makes the following Rules:-

RULES

1. Short title.- These Rules may be called Tamil Nadu Panchayats (Prohibition and Regulation of the use of Public or Private Springs, Tanks, Wells) Rules, 1999.

2. Power of the Village Panchayat to regulate spring, tank, well. – The Village Panchayat may, in the interest of public health, by an order, regulate or prohibit the washing of animals or clothes or other articles or fishing, in any public spring, tank or well or any public water-course or part thereof and may set apart any such place for drinking or for bathing or for washing animals or clothes or for any other specified purpose. Panchayat Union Council or District Panchayat by specific resolution may, if deem fit, request a Village Panchayat to exercise this power.

3. Consent of the owner.- The powers conferred by Rule 2, in the case of any private spring, tank, well or water-course, be exercised by the Village Panchayat, with the consent of the owner of such place.

4. Right to take water for drinking purpose.- The Village Panchayat may, in the interest of public health, by an order, regulate or prohibit the washing of animals or clothes or other articles or fishing, in any private spring, tank, well or water-course from which the public have a right to take water for drinking purpose.

5. Notice as to prohibition for use of water.- The Executive Authority of a Village Panchayat, on receipt of a certificate from any Medical Officer in the employment of the Government, or Village Panchayat, Panchayat Union and District Panchayat stating that the water in any tank, well, spring or other source of water-supply to which the public have access in the village is likely to endanger or cause the spread of any dangerous disease may, by public notice, prohibit the use of such water. Such notice shall be served by affixing a copy of it near the source of water-supply or by beat of drum, stating the number of days during which such prohibition shall last. The Executive Authority may extend or modify the notice without the production of a further certificate.

6. Restriction for a place set apart for drinking purpose.- No person shall –

(*a*) Bathe in or defile the water in any place set apart for drinking purpose;

(*b*) Deposit any offensive or deleterious matter in foreshore and the foreshore dry-bed of any place and water sources set apart as aforesaid for drinking purpose; or

(*c*) Wash clothing in any place set apart as aforesaid for drinking purpose or for bathing; or

(*d*) Wash any animal or any cooking utensil or wool, skin or other foul or offensive substance or deposit any offensive or deleterious matter in any place

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set apart as aforesaid for drinking purpose or for bathing or for washing clothes; or

(*e*) Allow the water from a sink, sewer, drain, engine or boiler or any other offensive matter or effluent belonging to him or flowing from any building or land or factory belonging to or occupied by him, to pass into any place set apart as aforesaid for drinking purposes or for bathing, or for washing clothes.

7. Penalty for contravention of these Rules.- Whosoever contravenes any order issued under any of the provisions of Rules 2 to 4 or a notice under Rule 5 or any of the provision of Rule 6 or fails to comply with any direction lawfully given to him or any requisition lawfully made upon him under any of these Rules shall be punishable with fine which may extend to one hundred rupees and in case of a continuing breach with fine not exceeding fifteen rupees for every day during which the breach continues after conviction for the breach. The Village Panchayat issuing an order or notice under these Rules, shall give the person, whosoever contravenes any order or notice issued under these Rules, adequate opportunity to furnish the written defence and accord necessary hearing before passing orders of punishment.

RAMESH CHANDRA PANDA
SECRETARY TO GOVERNMENT

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