



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

Act 30 of 1988

Keyword(s):

Area, Consumer, Department, Rate

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**THE HYDERABAD METROPOLITAN WATER SUPPLY
(VALIDATION OF WATER RATES AND SERVICE
CHARGES) ACT, 1988.**

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. Short title
and
Commencement.

(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.

Definitions.

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

(a) 'area' means such of the 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 the time to time under section 5.

Constitution
of Hyderabad
Metro Water
Works
Authority.

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

Power to
order fixing
of meters or
disconnec-
tion of the
supply of
water.

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

(1) (a) 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 un-metered 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 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. Power to order collection of rate.

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. Power to fix or alter the rate.

7. The authority may, by notification, order the collection by the Department of a rate, from every consumer and the pipeline service charges for giving 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. Power to fix the collection of Pipeline Service charges.

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 Validation.

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.

Repeal of
ordinance 6
of 1988.

9. The Hyderabad Metropolitan Water Supply (Validation of Water Rates and Service Charges) Ordinance, 1988 is hereby repealed.