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Delhi Water & Sewer (Tariff and Metering) Regulations, 2012

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File

No.

Dated:

DELHI JAL BOARD

Delhi Water & Sewer (Tariff and Metering) Regulations, 2012

In exercise of powers conferred by Section 109 of the Delhi Water Board Act, (Act No. 4 of 1998), the Board hereby makes the following Regulations, for water & sewer tariff and for metering, and for matters connected therewith and incidental or ancillary thereto.

Chapter – I Preliminary

1. Short Title and Commencement.

- (a) These Regulations may be called ‘The Delhi Water & Sewer (Tariff and Metering) Regulations, 2012.
- (b) These Regulations shall come into force from the date of its issuance by the Board and subject to Section 109(3) of the Delhi Water Board Act, 1998

2. Definitions

In these Regulations unless there is anything repugnant to the subject or context:-

- (a) ‘Act’ means the Delhi Water Board Act, 1998 (Delhi Act No. 4 of 1998);
- (b) ‘Board’ means the Board as defined in the Act;
- (c) ‘Bill’ means an instrument reflecting the demand raised for the services rendered by the Board.
- (d) ‘Billing cycle’ means the period for which bill will be raised by the Board;
- (e) ‘Bulk connection’ means sanctioned connection for bulk supply of water through a ferrule size of more than 6.4 mm;
- (f) ‘CEO’ means the Chief Executive Officer of the Board;
- (g) ‘Cess’ means the cess as defined in Water (Prevention & Control of Pollution) Act, 1976
- (h) ‘Consumer’ means any person using services provided by Board such as piped water supply, water supply through tanker, sewage facility, bio gas facility or treated effluent and shall include corporate body, public and private institution, firm, or establishment availing of such facilities.
- (i) ‘Domestic individual connection’ generally means connection for supply of water through a ferrule size of 6.4 mm.
- (j) ‘Illegal connection’ is that connection which is taken by a person from rising main or transmission main without any sanction or from the service line of another consumer, which cannot be regularized by the Board.
- (k) ‘Meter’ means a mechanical/Electronic device for recording volumetric consumption of water, bio-gas and treated effluent during any specified period.

- (l) 'Property' means premises consisting of any land or building as defined in Section 2(aa) of the Act and for purposes of these regulations is used either for domestic or non-domestic or mixed-use purpose.
- (m) 'Service pipe' means the pipe which extends from the Board's distribution line to the water meter of the consumer;
- (n) 'Temporary connection' means connection provided for any temporary use upto three months subject to deposition of the charges;
- (o) 'Unauthorized Connection' means any connection installed on water distribution pipe line without the proper sanction of the authority and/or without due payment of required initial charges which can otherwise be regularized;
- (p) 'Zonal Revenue Officer' is an officer of the Board who is authorised to carry out such functions on behalf of the Board as are or may be delegated to him;

All other words and expressions used in these regulations and not defined herein but defined in the Act shall have the meaning respectively assigned to them under the Act or in absence thereof, the meaning as commonly understood in the water supply industry.

Chapter II
Water and Sewer Connection

3. Water Connection

- (a) A regular connection shall be considered, on receipt of an application in the prescribed format as provided in Annexure-I of Schedule-I hereto alongwith requisite documents and fees as prescribed in Annexure-II of Schedule-I.
- (b) Application may be made by the owner/occupier of a property once the construction is completed in that property or by the owner/occupier of such premises where Board has provided/ extended water distribution system in that area after the construction provided that such construction is authorized one.
- (c) No person is authorised or allowed to draw water from Board's water system by any means other than through sanctioned water connection.
- (d) No regular connection will be allowed in a vacant plot/piece of land.
- (e) No individual connection will be sanctioned to any flat or house in a co-operative group housing society/ apartment complex or other domestic/non-domestic complexes where bulk connection either exists or is required to be given under the policy in force of the Board.
- (f) No water connection will be sanctioned for the basement of any building.
- (g) Individual water connection will be sanctioned for a single dwelling unit / floor subject to maximum of six in a property.
- (h) Assessment of technical feasibility and sanction of Bulk water connection will be the jurisdiction of Executive Engineer concerned. ZRO will forward the file accordingly after completing the formalities.
- (i) Water supply shall not be provided unless arrangement for proper disposal of waste water exists.

4. Sewer Connection

- (a) Wherever sewage system is in existence and maintained by the Board, it shall be mandatory for a consumer to obtain a sewer connection by submitting application in the format prescribed in schedule-I after paying requisite fee and charges, failing which, besides disconnection of water supply bill will be raised to such consumer in respect of Sewer charges and/or Development Charges.
- (b) Application may be made by the owner/occupier of a property once the construction is completed in that property or by the owner/occupier of premises where Board has laid sewerage facilities in a particular locality after the construction; provided such construction is authorized.
- (c) No person is authorized or allowed to put sewage in Board sewerage system other than through sanctioned sewerage connection.
- (d) No regular sewer connection will be allowed in a vacant plot/piece of land.
- (e) No individual connection will be granted to any flat or house in a co-operative group housing society/apartment complex or other domestic/non-domestic complexes where bulk connection either exists or is required to be given under the policy in force of the Board.
- (f) No Sewer connection will be sanctioned in the basement of any building.

5. Applications from consumers

All applications for new water and sewer connection, additional connection, change of size of connection, reopening and disconnection, replacement of water meter, mutation shall be made to the Zonal Revenue Officer in the formats prescribed in schedule-I.

6. Procedure for sanction of Water and Sewer Connection

- (a) Any person who is resident of territorial jurisdiction of Board and where services are maintained by the Board, is eligible to apply for new connection under regulation 3 and 4, subject to following conditions:
 - i) Technical feasibility for providing services should exist.
 - ii) Applicant is required to attach the identity proof and ownership/ occupancy proof and no objection certificate from owner in case of tenant with the application.
 - iii) There should not be any outstanding dues towards the Board against the property on account of water/ sewer/ development/ infrastructure charges etc.
 - iv) In case there are more than one occupier/ owner then the outstanding arrears/ dues in respect of the share amount will be paid by the applicant. ZRO will assess and prepare a site report before levy such share amount.
 - v) Applicant is bound to abide by the conditions mentioned in the application form and is required to pay the fees, security deposit or any other charges as applicable or as may be levied by the Board from time to time. The sanction of connection in any premises does not acknowledge or confer any title, ownership or occupancy right in favour of the applicant.
- (b) Water shall be supplied, subject to technical feasibility, through sanctioned appropriate sized ferrule in consonance to the estimated water consumption of the consumer.
- (c) Subject to the fulfillment of above mentioned requirements and approval of ZRO/ competent authority, a new connection may be sanctioned. Applicant is required to make payment of the demand raised by the ZRO office, which shall be deposited within a period of fifteen days failing which a fresh bill will be issued.
- (d) The consumer will be given a boring date and time by ZRO under intimation to JE concerned when the consumer is required to get connection installed on the Board distribution line through a licensed plumber or any agency having licenced plumbers of the Board. Execution of the work by other than a licensed plumber shall lead to levy of penalty provided in Schedule IV of the Act.
- (e) Wherever it is found that the installation of connection has been done in contravention of the sanction, such as fixation of ferrule of a size other than the sanctioned one, or through unauthorized person or the work is executed on any other date than the prescribed one, such boring will be treated as unauthorized and the sanction is liable to be withdrawn, in addition to imposition of penalty as provided in Schedule IV of the Act.

Provided that in case consumer gives sufficient reason for not executing the work on the specified date he may approach ZRO within 15 days, giving reasons for the failure and request for grant of another boring date, in which case, ZRO upon being satisfied, may give new date for boring.

- (f) In case of detection of unauthorized connection at the property, where connection has been applied for, consumer is required to get such unauthorized connection regularized first in applicable category by paying penalty, water charges for three years and water connection charges, failing which such connection may be cut off, besides issuance of challan and withholding of sanction for new connection.
- (g) It would be open for the Board to provide a certificate in respect of the availability/ adequacy of water and sewer system in a property for purpose of sanction of building plan by the Municipal Corporations of Delhi/ DDA or any other competent authority.

7. Temporary water connection

- a) A temporary water connection may be applied for in the format prescribed for regular connection initially for a period not exceeding three months, subject to technical feasibility, provided that applicant pays prescribed security deposit for the period for which such connection is applied. Such connection is renewable maximum for another period of three months.
- b) Applicant will apply for such connection by submitting his application alongwith authorization letter and identity proof and security amount for the entire period for which water connection has been applied. Amount will be assessed on the basis of estimated consumption assessed by area Executive Engineer or Joint Director (Revenue) concerned.
- c) Such connection may be allowed in vacant plot or temporary shed, for holding a fair, function, circus, or such events where large number of people are expected to attend.
- d) Subject to availability of sufficient quantity of water, such water connection for construction purposes (new or additional), may be allowed by ZRO after consulting area Zonal Engineer. In such case, charges as mentioned in Annexure I of Schedule III hereto will be applicable, which were calculated by area ZE. However, such connection cannot be claimed as a matter of right.
- e) All other provisions as applicable to the regular consumer will be applicable to such connection also.
- f) It will be the duty of the consumer to get his temporary connection disconnected through a licensed plumber or authorised agency of the Board after expiry of the sanction period and clearing all the arrears, failing which consumer will be liable to pay the penalty in addition to the arrears.

8. Category of consumer

Board shall classify consumers in different categories according to nature of use of water and/or activities undertaken at the premises of the consumer for the purposes of tariff.

The broad classification is as under:-

- a) Residential (A) : Water supplied to such plot/property which is used purely for residential purpose.
- b) Partially Residential/Mixed (B): Water supplied to such residential buildings where commercial activity having non-intensive use of water exists, such as private clinic, consulting chambers, shops, Atta Chakki, property dealer's office etc.
For Group Housing Societies and Apartments with one bulk connection for water, the dwelling units which are having mixed use activity, shall be charged at tariff applicable for mixed use rates after taking average consumption for each unit. The office bearer with meter reader will assess such units after every two billing cycles.
- c) Industrial/Commercial (C):- Water supplied to plot/property where intensive use of water is envisaged such as institutes, hospitals, schools, offices, office complexes, Railway Stations/ yards, Police Stations, Airports, Bus- stand, Petrol Pumps, Hotels, restaurants, clubs, marriage halls, industry, cooling plants, factories, ice cream factory, amusement parks dhobi ghat etc.
- d) Water supplied to properties having provision of either rain water harvesting or waste water recycling or both (D)
 - i) Such plot/properties which are having area of 2000 square meter or more and having installed functional rain water harvesting system or waste water recycling system, shall be granted rebate of 10% in the total bill amount and 15% if both the above systems have been set up and functional.
 - ii) If the Rain Water Harvesting system is adopted by a society then the individual member of that society will be entitled to above mentioned rebate in water bill.
 - iii) The area Zonal Engineer or such other suitable agency as authorized by the board will provide a functional certificate in respect of the above systems mentioning therein that substantive portion of the plot/ property has been covered as far as Rain Water Harvesting is concerned. Similarly, he will certify that substantive quantity of the waste water generated has been recycled by the consumer. A certificate will be issued after every six months.

Chapter – III

Billing

9. Tariff

- a) Board shall levy fees, charges, rentals, development charges, infrastructure charges, collect deposits and may recover interest on amounts payable to it but not paid within time, at such rates as may be specified in Annexure I of Schedule II hereto for the services rendered by it.
- b) 'Water Advance' means the adjustable amount levied at the time of sanction/regularization of water connection to a domestic individual consumer which will be as per Annexure II of Schedule-I. The amount is adjustable at the time of surrender of the connection or in the event of default by the consumer, due to non-payment of Board charges.
- c) 'Trade Advance' means the adjustable amount levied at the time of sanction/regularization of water connection in a commercial/ industrial category @ of three months estimated consumption of the applicant as assessed by ZRO as per site conditions. The amount is adjustable at the time of surrender of the connection or in the event of default by the consumer, due to non-payment of Board charges.
- d) 'Occupier Security' is the amount levied from a person, who is a tenant or doesn't have any legal ownership right. The amount is mentioned in Annexure-II of Schedule-I
- e) 'Volumetric charge' is the monthly charge levied for the volumetric quantity of water consumed in kilo-liters as recorded by the meter or as fixed by the ZRO/ Competent Authority in case of non-functional meters. This charge will be levied as per the slab rates shown in Schedule II hereto.
- f) 'Sewer charge' is the monthly charge levied for collection and treatment of the sewage. Currently, it is 60% of the charges of volumetric consumption of the water.
- g) 'Service charge' is a fixed monthly charge levied for maintaining the services in the locality as per the slab rates shown in Annexure-I of Schedule II hereto. This charge shall be payable in the lowest slab in the respective category even if no water is consumed during a billing cycle.
- h) 'Additional sewer charge' is levied from consumer who are using ground water and/or water from any other source in addition to the water supplied by the Board, thus generating more sewage as compared to the volumetric consumption recorded by the meter, as per the rates prescribed in Annexure-II of Schedule-II.
- i) 'Sewerage maintenance charge' is levied from the owner/occupier of such properties whose Board water connection is either lying cut off or no connection exist but who are using ground water or water from other sources and discharging sewage into the Board sewerage system, on such rates as prescribed in Annexure-III of Schedule II hereto
- j) 'Development charge' shall be levied one time from properties situated in such locality where water and/or sewerage facilities have been extended by the Board without any grant/ non-refundable aid by the Government. The

charges shall apply as per rates prescribed in Annexure IV of Schedule II hereto. Such charges shall be levied on the basis of per square meter area of the plot/property from the date of notification issued in respect of that locality. The copy of existing policy is placed as Annexure-VI of Schedule-II. In case of delay in payment of development charges, interest as provided in the notification shall be levied. Board may provide rebate on the interest or concession to any particular category of the consumers as mentioned in Annexure V of Schedule II hereto.

- k) 'Infrastructure charge' are levied on the developing agencies as well as on the individual owner of plot/property size of 200 square meters or more at the time of approval of water/sewer schemes as per the procedure and by the authority as prescribed in Annexure-II of schedule-III for loading additional burden on the system of the Board. It is calculated on the average daily demand of water in liters. Currently, the charges are Rs.30/- per liter.

However, in case a new building is constructed with four storeyed or on plot size of 200 sq. mtr. Or more, the old connection will not be reopened without payment of Infrastructure Charges.

10. Billing Cycle

Billing cycle may be monthly, bimonthly or quarterly, depending upon practical feasibility. Board may alter Billing cycle for any consumer after giving notice in this regard.

11. Issuance of bills by the Board.

- a) The bill issued in respect of services rendered by the Board may include one or more charges as applicable and as prescribed in regulation 9 above.
- b) If a property is having two or more water connections for different usages then the occupier is required to maintain separate system of storage and distribution for each usage of water connection. If the consumer fails to do so, charges on all existing connections in the property shall be levied in the highest category of use in terms of tariff in that premises.
- c) Bill shall be raised on the basis of consumption recorded by the meter. If no functional water meter was ever installed, the bill will be raised taking minimum consumption of water as 25 Kilolitres per month per dwelling unit or as assessed by ZRO, whichever is higher till a meter is installed on such connection. However, consumer may appeal to Joint Director concerned in case he is not satisfied with the decision of ZRO.
- d) For group housing society, apartments and commercial/Industrial areas with bulk connection, the consumption per connection per month shall be calculated on the basis of average consumption for each occupied house/dwelling/ industrial or commercial unit for the purpose of billing. Fixed monthly charges will be levied against all units. Board shall recover the charges from the society and not from the individual members of the housing society.
- e) 'Temporary Connections' will be billed on Industrial/ Commercial rates.
- f) 'Unauthorized connections' which are in existence at the time of coming into force of these regulations in otherwise technically feasible areas shall be got regularized by the owners/occupiers after paying the requisite charges,

failing which the Board may issue bill in the name of occupier/owner including the regularization charges. Such dues/ charges will be recovered as per the procedure laid down under the Act. If such charges are not paid inspite of sufficient opportunity to such occupier, water supply be disconnected.

12. Provisional billing

- a) While recording the reading, if Meter Reader finds that reading should be detained due to 100% deviation in consumption, unless the consumption is less than or equal to 20 KL per month, during a billing cycle as compared to the previous one, he shall inform the consumer and ZRO about the same. Till the consumer submits his explanation, provisional bill based on average consumption of previous twelve months or such lesser period as available on record, shall be issued. If consumer succeeds in establishing that such consumption is not correct, the bill will be rectified otherwise consumer is required to pay the bill as per the consumption recorded by the meter reader.
- b) If a water meter box or premises is found locked, provisional bill on the basis of average consumption of previous twelve months or such lesser period as available on record shall be issued subject to adjustment on actual consumption, whenever recorded.

13. Billing in case of non-functional water meter

- (a)(i) If at the time of meter reading or as per the report of the consumer, the water meter provided by the Board is found to be out of order and consequently not registering the consumption, the average consumption of previous twelve months or such lesser period as available on record shall be taken as the basis of billing. However, Meter Reader and/or consumer will inform the ZRO about such meter and ZRO will take immediate steps to replace it.
- (ii) If at the time of meter reading any private water meter is found to be out of order and consequently not registering the consumption, the average consumption of previous twelve months or less period as available on record shall be taken as the basis for billing. If the meter is not replaced by the consumer within two months from the date of notice of default, then the highest average of the consumption recorded during last twelve months period or such lesser period as available on the record when the meter was functional shall be taken as the basis for issuing the bill, till the meter is replaced.
- (b) Notwithstanding anything contained in these regulations if, during two consecutive billing cycles reading of the meter is not possible due to no response from occupier or locked premises or reading is not allowed deliberately, the consumption shall be computed on any one or more of the following basis as may be decided by the ZRO after recording the reasons in writing.
 - (i) On highest of registered consumption per month during last twelve months period or highest per month consumption of such lesser period as available on record, or