

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Gangtok, Thursday 28th April, 1994

No. 43

DEPARTMENT OF PUBLIC HEALTH ENGINEERING
GOVERNMENT OF SIKKIM
GANGTOK

SIKKIM SEWERAGE AND SEWAGE DISPOSAL RULES 1990.

IN exercise of the power conferred by section 26 of the Sikkim Sewerage and Disposal Act, 1987(2 of 1987) the Government hereby makes the following rules, namely :—

1. SHORT TITLE EXTENT AND COMMENCEMENT :—

1. These rules may be called the Sikkim Sewerage and Sewage Disposal Rules, 1990.
2. they shall extend to such areas as the Government may, by notification in the Official Gazette, specify.
3. They shall come into force on the date of their publication in the Official Gazette.

2. DEFINITIONS:-

In these rules, unless the context otherwise requires;—

- (a) "Act" means the Sikkim Sewerage and Sewage Disposal Act, 1987 ;
- (b) "Department" means the Public Health Engineering Department of the Government of Sikkim.
- (c) "cess pool" includes a settlement tank or other tank to receive or dispose of foul matters from any premises ;
- (d) "consumer" means a person getting the benefit of sewerage service from the department.
- (e) "connection" means a connection-point where consumers sewer join with Government sewer main or chamber;
- (f) "Domestic Sewerage" means waste water from residential premises, boarding and lodging houses, hostels, public places, office and all such establishments as are not a part of any trade or industries and arising out of personal and normal human activities such as drinking , bathing, washing and cooking.
- (g) "Consumer Sewer line" means any sewer originating from a consumer's premises.
- (h) "Form" means a form appended to these rules;
- (i) "Government" means the State Government of Sikkim;
- (j) "Government Sewer Mains" means any pipe or system of pipes along with all fittings thereto to be laid by the State Government by means of which Sewerage is transported from any premises to its final disposal point ;
- (k) "occupier" in relating to any premises, means—
 - (i) any person for the time being paying or liable to payment on any portion thereof to the owner in respect of that premises; or
 - (ii) an owner who is in occupation of that premises or
 - (iii) a tenant of those premises who is exempted from payment of rent ; or
 - (iv) a licensee who is in occupation of these premises ; or
 - (v) any person, who is liable to pay damages to the owner in respect of use and occupation of that premises;

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8. METHOD OF LAYING OF USER SEWER LINES:-

- (1) All sewer and fittings shall be of approved quality of ISI specification.
- (2) Sewer must be buried minimum two feet under ground in all cases. They can be exposed above ground, if under ground concealing is not possible for which the prior approval of the Department shall be obtained.
- (3) Size of sewer and fittings shall be 4" (four inch) or 6" (six inch) in diameter and 18" (eighteen inch) in diameter manhole cover.
- (4) No sewer shall be laid adjacent to water supply line unless the pipe *is* encased inside cement Concrete or Reinforced Cement Concrete beam and *is* approved by the department.
- (5) All the damages occurring during and laying of the sewer shall be made good by the user at his/her own cost.
- (6) All the connections shall be carried out by Departmental plumbers only.

9. SEWER CONNECTION OF GOVERNMENT PREMISES AND INSTITUTIONS :-

- 1) When the department agrees to connect the government premises, institutions, or Defence organisations such government agencies shall furnish all the relevant details as may be sought by the department prior to approval and provide all such information in the manner stipulated under the rule 3.
- 2) In case the department has to maintain the sewerage system of the above mentioned users or parties, maintenance cost assessed by the department shall be final and shall be borne by the user/parties whenever applicable.

10. CHARGE FOR USER'S BENEFIT :-

As per actual numbers of water closet, rupees ten for first closet and rupees five for every additional water closet will be levied.

11. OBLIGATION AND RESPONSIBILITIES OF THE USERS :-

- (1) Inspection chamber or any part of the chamber shall be under *the* custody of the user/owner, who shall also be responsible for breakages, damages or theft of the same.
- (2) User shall not allow any one within or outside the premises to throw empty garbage, cinders, boulders, dead animals, etc. in the inspection chamber that will cause the blockage of the line and prove hazardous to public health in and around.
- (3) All users before vacating their respective premises must report to the department of such move and clear their arrears if any and a certificate to that effect may be obtained from Divisional Engineer Water Supply Division.
- (4) In case of premises having their own septic tank, owner shall not insist on making connection from septic tank with a view to achieve economy.

12. FEES :-

- (1) The competent authority shall charge Sewerage Service fees at the rates calculated in the following manner :—
 - (a) Fees for fresh connection shall be calculated as under:—
$$\text{Fee} = (5\% \times (\text{MARKET VALUE}) \times K\%)$$
Where $(1\% < K\% < 10\%)$
The value of 'K' depends on the type, condition, location and utility of the premises.
Provided that the minimum connection fee shall not be less than one hundred rupees and not more than five thousand rupees,
 - (b) Fees for reconnection shall be one hundred rupees plus all other fees as may be determined by the competent authority.
- (2) The Government may, from time to time enhance the sewer service fees.

16. MANNER OF REALIZATION OF SEWERAGE SERVICE CHARGES, FEES AND SEWER TAX FROM THE DEFAULTERS:—

- (1) For any sewer tax charges, fees or fines not cleared for over three months for the amount exceeding two hundred rupees, the defaulter shall be sent notices in form S/W-V requiring him to pay the dues within fifteen days from the date of receipt of the said "NOTICE". If the defaulter fails to respond to the first notice, he shall be served with a reminder notice requiring him to clear the dues within fifteen days from the date of

receipt of the notice. If he again fails to comply with the reminder notice, a final notice shall be served on him again requiring him to pay the dues within fifteen days from the receipt of the notice. Where the defaulter fails to pay the amount due against him, even after the receipt of the final notice and by the due date specified therein, the Department shall take action against him in accordance with provisions of section 19 of the Act.

- (2) While proceeding under the provisions of section 19, the Department shall record details of the dues in Form S/W—VI and forward the same to the District Magistrate.

14. DEFAULTER'S REFUSAL TO ACKNOWLEDGE NOTICES:-

If the defaulters refuses to acknowledge the notice or the opinion of the competent authority the defaulter has refused to acknowledge the receipt of* the notices deliberately or thirty days have elapsed from the date of issue of final notice, then the department shall take action against such defaulters in accordance with the provision of rule 13.

15. NUMBER OF CONNECTION AS PER PREMISES:—

A premises may have more than one number of Sewerage service lines on the competent technical requirement, economy and space availability of that premises.

16. PRESCRIBED AUTHORITY TO HEAR APPEAL AGAINST ASSEMENT OF ANNUAL VALUE :—

Under section (1) and (2) of clause 24 of the Act, the prescribed authority to hear the appeal against assesment of Annual value shall be the Principal Chief Engineer-cum-Secretary of the Public Health Engineering Department.

FORM

S/W—1

(See sub-rule (1) of rule-3)

GOVERNMENT OF SIKKIM

PUBLIC HEALTH ENGINEERING DEPARTMENT

WATER SUPPLY DIVISION : REVENUE CELL

SEWER CONNECTION APPLICATION FORM:

To :

The Divisional Engineer,
Water Supply Division,
Public Health Engineering Department,
Government of Sikkim, Gangtok.

No. Dated

Sir,

I/We request for your kind permission to allow to connect Sewer line of the premises here-
under with the State Government Sewer main (s).

I/We shall abide by the standing rules/regulation and directives.

Yours faithfully,

(SIGNATURE SEAL OF THE APPLICANT)

(TO BE FILLED IN CAPITAL LETTERS)

1. Name/Designation of the applicant
2. Correct making address
3. House No: with location
4. Name of the Department /Organisation if in service
5. Sewer connection is required for (Tick Mark)

(a) Domestic/Commercial/ Institutional/ Industrial/Specific other Specific other uses

(b) State Government/Private/Cetnral/Others

Details of premises (Tick mark)

6. (a) R.C.C.Non R.C.C./others.....
- (b) Nos of storeys

Users details:-

- (a) Nos. of family units
- (b) Nos. of Users
- (c) Nos. of Toilets in the premises

I/We hereby certify that the above informations are true and any subsequent changes contemplated shall be noyified to the Department fifteen days prior to effecting such changes.

: I/We hereby fully agree that apart from other reasons prescribed in the Sikkim Sewerage and Sewerage Disposal Act 1987 and the Sikkim Sewreage and Sewage Disposal Rules 1990. Sewey connection of my/our premises may be disconnected in the event I violate any rules or regulations of the Local Self Government and Housing Department and Public Health Engineering Department and or fail to pay Sewage of Water Tax/Charges (if applicable)

I/We hereby declare that I/We am/are the owners of the premises mentioned in the application and entire liability of payment of Sewerage charges, Tax, Dues and Fines shall reset on me/is on the person whomsoever/the Ownership/liability of legally transferred.

Signature
Head of the Department/Officer

of

applicant,

(in case of Government Agency)

OFFICE USE ONLY:

a. Rs. 5/- paid vide B.R. No. Dated

(Sum to be deposited under the account head '0215' Water Supply).

b. Sewerage connection register Ref. No.

Bill Clerk,
Sewerage/Water Supply Revenue Cell.

FORM S/W-II
(See sub-rule (1) of ruLe-4)

GOVERNMENT OF SIKKIM
PUBLIC HEALTH ENGINEERING DEPARTMENT
WATER SUPPLY DIVISION : REVENUE CELL
POWER CONNECTION DATA SHEET

1. Name of consumer
2. Address
3. Sewer connection register ref. No :
4. RECOMENDATIONS :

(a) Size of Sewer line pipe

(b) Length

(c) Size of state main

5. CONNECTION CHARGES :

(A) Term Deposit Receipt to be drawn in favour of Divisional Engineer (Water Supply), Public Health Engineering Department.

(i) Supply of materials : Rs.....

(ii) Labour charges : Rs.....

(iii) Restoration supervision charges : Rs.....

(iv) Security Deposit : Rs.....

(v) Other charges (to be specified) : Rs.....

Sub Total (A) : Rs.....

(Rupees) only

(B) Charges to be credited under Head "0215" Water Supply"

(i) Connection charges : Rs.....

(ii) Other charges : Rs.....

(iii) Sub-Total (B) : Rs.....

Grant Total(A+B+) : Rs.....

(Rupees only)

(C) Monthly Revenue Assesment (as per Sikkim Sewerage and Sewege Disposal Rule) Rs.

Rs.(Rupees

.....(only).

N.B.: If assesment is done on the basis of other factors, separate analysis sheet should be attached.

6. Annual Maintenance cost {if applicable)

Rs.(Rupees.....(only.

7. Liability of payment of Sewerage charges :

Owner/Occupant of premises :—

Name.....

Address

8. Annual Water Tax assesment (If applicable):

Rs.....(Rupees(only.

9. Connection to be carried out by Department.

Jr. Engineer,
Water Supply.

Assistant Engineer,
Water Supply.

Divisional Engineer,
Water Supply.

FORMS/W—III
(See rule - 5)
GOVERNMENT OF SIKKIM
PUBLIC HEALTH ENGINEERING DEPARTMENT
WATER SUPPLY DIVISION : REVENUE CELL

To:

Sri/Smt
.....
.....

Subject: SEWER CONNECTION INTIMATION LETTER FOR PAYMENT

Dear Sir /Madam,

With reference to your application No. dated
on the above subject you are advised to deposit the following sum in the State Bank of Sikkim, Gangtok,
under the head (s) noted below and produce the receipt (s) in the office of the undersigned for further nec-
:

1. Temporary Deposit Receipt drawn in favour of Divisional Engineer (Water Supply), Public Health Engineering Department.

(A) (i) Supply of materials	Rs
(ii) Labour charges	Rs
(iii) Restoration/Supervision charges	Rs
(iv) Security deposit	Rs
(v) Other charges	Rs
Sub Total (A)	Rs

(Rupees.) only.

2. Charges to be credited under head '0215' Water Supply"

(i) Connection charge	Rs
(ii) Supervision charges (to be specified)	Rs
Sub Total (B)	Rs
Grand total (A+B)	Rs

(Rupees.) only.

Please read the detail carefully

(a) Monthly assesment (As per the Sewarage and Sewage disposal Rule Rs

(Rupees.) only.

(b) Annual maintenance cost (if applicable)

Rs. (Rupees.) only.

(c) Liability of payment of sewer charges : Owner occupier cf premises :

Name

(d) Annuual sewerage tax assesment (if applicable) Rs

(Rupees.) only.

(e) Connection to be carried out by department.

4. Other details

(a) Size of the sewer connection

(b) Length

(c) Size of state mains

Yours faithfully.
Divisional Engineer(Water Supply)

5. **I have read the contents of this document, I fully agree and abide by the provisions of the Sikkim Sewerage and Sewage Disposal act 1987 and the rules 1990.**

Signature of
Applicant.
Name :

6. For official use only :-
Received payment of Rs. (Rupees.
(only vide B.R. No. for Rs
and TDR No.dated
for Rs.....

7. **IMPORTANT :**
Applicant, please sign this document and return to the department alongwith Bank
Reciept and Temporary Deposit Receipt as indicated vide (1) and **(2).**

FORM S/W - IV
(See rule - 6)

GOVERNMENT OF SIKKIM
PUBLIC HEALTH ENGINEERING DEPARTMENT
WATER SUPPLY DIVISION :REVENUE CELL

No. Date.
Consumer Index

PERMISSION OF CONNECTION

With reference to Registration No.
permission is hereby granted to Shri/Smt.
.....for.....
No. in connection to this premises of
Located at

The connection should be completed within one month's time from the date of issue of this
for which the Assistant Engineer, Sewerage Sub-Division should be contacted. Sewerage charges /Taxes
will be levied from
day..... Month
Year:

DIVISIONAL ENGINEER
WATER SUPPLY DIVISION

- 1) Shri/Smt
- 2) Superintending Engineer (P.H.E.)
- 3) Assistant Engineer W/S/ Gangtok.

FORM S/W - V
(See sub rule 9 & Rule - 14)

OFFICE OF THE DIVISIONAL ENGINEER
PUBLIC HEALTH ENGINEERING DEPARTMENT
GOVERNMENT OF SIKKIM
GANGTOK

N O T I C E

No.....

Dated:.....

To:

Mr/Mrs/Miss

Subject : Sewer Connection Consumer index number.....

..... Disconnection notice.

With reference to the above consumer index number our account shows an outstanding amount of Rs.....ing against you on account of sewerage charges/taxes for the period mentioned hereunder. In accordance with Sikkim Sewerage and Sewage discosal Rules,1990 it is necessary that sewerage charges and taxes are required to be paid regularly as indicated in the bills. Non payment of the charges etc, has been viewed seriously to the department and you are therefore directed to settle the outstanding dues immedfatly within 15 days from the date of receipt of this notice to aviod disconnection of sewerage connection to your premises without further notice.

Details		
Month	Year	Rs.

DIVISIONAL ENGINEER
PUBLIC HEALTH ENGINEERING DEPARTMENT
GANGTOK.

FORM W/S - VI

(See sub-rule (2) of Rule -13)

GOVERNMENT OF SIKKIM
PUBLIC HEALTH ENGINEERING DEPARTMENT
WATER SUPPLY DIVISION : REVENUE CELL

To

The District Magistrate

.....
.....

Sub: Dues on account of Sewerage Charges, Fines, etc.

Sir,

The below mentioned consumer has failed to settle the Sewerage charges and Taxes as as detailed below, despite our reminders.

Name of the person

Full Address

Outstanding dues

i.	Arrear on account of Sewerage Tax	:Rs
ii.	Arrear on account of Sewerage charges	:Rs.....
iii.	Arrear on account of fines	Rs.
iv.	Arrear on account of services and materials,	
I	employed for the Sewerage works.	Rs.
TOTAL Rs.		

(Rupees..... (only.

It is certified that this action has been taken in accordance with the Sikkim Sewerage and Sewage Disposal Act, 1987 and the Sewerage and Sewage Disposal Rules, 1990. The defaulters has already been issued notice to settle the dues and no response has been received.

Yours faithfully,

Divisional Engineer
Water Supply Division.