

177. The Commissioner may, for the purpose of receiving, treating, storing, disinfecting, distributing or otherwise disposing of sewage, construct any work within or without the City or purchase or take on lease any land, building, engine, material or apparatus either within or without the City or enter into any arrangement with any person for any period not exceeding twenty years for the removal or disposal of sewage within or without the City.

Provision of means for disposal sewage.

Water-closets, Privies, Urinals, etc

178. (1) It shall not be lawful to construct any water-closet or privy for any premises except with the written permission of the Commissioner and in accordance with such terms not being inconsistent with any rule or by-law for the time being in force as he may prescribe.

Construction of water-closets and privies.

(2) In prescribing any such terms the Commissioner may determine in each case—

(a) whether the premises shall be served by the water-closet or by the privy system, or partly by one and partly by the other; and

(b) what shall be the site or position of each water-closet or privy.

(3) If any water-closet or privy is constructed on any premises in contravention of sub-section (1), the Commissioner may, after giving not less than ten days' notice to the owner or occupier of such premises, close such water-closet or privy, and alter or demolish the same, and the expenses incurred by the Commissioner in so doing shall be paid by such owner or occupier or by the person offending.

¹[178A. (1) Where any premises are, in the opinion of the Commissioner, without the adequate and suitable water-closet or privy accommodation in accordance with the rules made by the Corporation in that behalf, the Commissioner, may, by written notice, require the owner of such premises to provide such water-closet or privy accommodation in accordance with the rules made by the Corporation in that behalf, within such time as may be specified in such notice and if the owner fails to comply with such requirement, within the time so specified or within such time as may, on the application of the owner, be extended by the Commissioner for any reasonable cause, it shall be lawful for the Commissioner to make such provision from the fund of the Corporation. The expenses incurred by the Commissioner in making such provision shall, on demand by the Commissioner, be payable by the owner and if not paid by him on demand, such expenses shall be recoverable by the Commissioner in accordance with the provisions of section 439.

Power of Commissioner to require owner to provide water-closet or privy accommodation.

(2) Notwithstanding anything contained in sub-section (1), where the owner of any premises fails to comply with such requirement within the period specified under sub-section (1), the Commissioner may, in a case where the owner is not himself the occupier of such premises, permit the occupier of such premises to make provision for such water-closet or privy accommodation at the cost of the owner, if the occupier is willing to do so, instead of the Commissioner himself making such provision. Any such occupier who makes such provision shall, after obtaining the necessary certificate from the Commissioner about such provision having been made by him, the amount of expenses incurred by him in making such provision and the reasonableness of such expenses, be entitled to deduct, such amount of expenses as is certified by the Commissioner to be reasonable, from the rent or any other sum payable by him to the owner or to recover such amount from the owner in any other lawful manner.

(3) For the purpose of making the provision specified in sub-section (1), the Commissioner shall have power to do all acts necessary for that purpose and the Corporation shall not be liable to pay any compensation to the owner of the premises for any reasonable damage done to the premises in making such provision.

(4) Where any water-closet or privy accommodation is provided or set up by the Commissioner under sub-section (1) and the expenses incurred by the Commissioner in doing so are paid by, or recovered from, the owner in full, such water-closet or privy accommodation shall belong to the owner of the premises and the owner shall be responsible for the expenses of maintaining it in good repairs and efficient condition.

1. Section 178A was inserted by Guj. 1 of 1979, s. 15.