

(c) affixing of pipes or shafts for the purpose of ventilation of any drain or cesspool to any building or tree under sub-section (1) of section 175;

(d) opening of any ground, any portion of a drain, any portion of a building or any work exterior to a building under section 182;

(e) entering upon, and passing through any land in the vicinity of a water work or conveying or causing to be conveyed men, materials and tools through such land under section 191;

(f) acquiring any building or land required for a public street under section 216;

(g) removing or altering a structure or fixture under sub-section (4) of section 226, sub-section (3) of section 227 and section 232;

(h) the rounding or splaying of a building at the corner of two or more streets under section 243;

(i) cutting into, laying open or pulling down any building or work under section 261;

¹[(ii) the demolition or alteration of a hut or shed under section 263A;]

(j) the demolition of an obstructive building under section 304;

(k) the destruction of an insanitary hut or shed under section 317;

(l) the destruction of any property in exercise of the powers vested in the Commissioner for preventing a dangerous or infectious disease under section 319;

(m) the exercise of powers of execution of any work in regard to which no express provision occurs in the Act, rules or by-laws for the payment of compensation.

(2) If in the exercise of the powers under section 191 damage is caused by an act of an officer of the ²[State] Government compensation shall be payable by the ²[State] Government.

390. Subject to the provisions of this Act, the Commissioner or such other officer as may be authorised by him in this behalf shall, after holding such inquiry as he thinks fit, determine the amount of compensation to be paid under section 389. Commissioner to determine compensation.

391. Any person aggrieved by the decision of the Commissioner or other officer under section 390 may, within a period of one month, appeal to the Judge in accordance with the provisions of Chapter XXVI. Appeal

CHAPTER XXV.

PENALTIES.

392. (1) Whoever—

Certain offences punishable with fine.

(a) contravenes any provision of any of the sections, sub-sections or clauses mentioned in the first column of Part I of the table in Appendix II or of any regulation or order made thereunder, or

(b) fails to comply with any requisition lawfully made upon him under any of the said sections, sub-sections or clauses,

shall be punished, for each such offence, with fine which may extend to the amount mentioned in that behalf in the second column of the said Part.

(2) Whoever, after having been convicted of—

1. This clause was inserted by Bom. 19 of 1950, s. 3.

2. This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.