

**164.** Where any premises are, in the opinion of the Commissioner, without sufficient means of effectual drainage and a municipal drain or some place legally set apart for the discharge of drainage is situated at a distance not exceeding one hundred feet from some part of the said premises, the Commissioner may, by written notice, require the owner or occupier of the said premises—

Commissioner may enforce drainage of undrained premises situate within hundred feet of municipal drain.

(a) to make a drain of such material, size and description and laid at such level and according to such alignment and with such fall and outlet as may appear to the Commissioner necessary, emptying into such municipal drain or place aforesaid at such point as the Commissioner may consider suitable:

Provided that, where any premises have already been drained under municipal requirements and have to be redrained, no such requisition shall be made without the previous sanction of the Standing Committee;

(b) to provide and set up all such appliances and fittings as may appear to the Commissioner necessary for the purposes of gathering and receiving the drainage from, and conveying the same off, the said premises and of effectually flushing such drain and every fixture connected therewith;

(c) to remove any existing drain, or other appliance or thing used or intended to be used for drainage, which in the opinion of the Commissioner is injurious to health;

(d) to provide a closed drain in substitution of an open drain or to provide such other appliance or thing either newly or in substitution of any existing appliance or thing or to provide both a closed drain and such other appliance or thing in substitution of the existing open drain and other appliance or thing, which is, or which is likely to be, injurious to health;

(e) to provide and set up all such appliances and fittings as may appear to the Commissioner to be necessary for the purpose of gathering and receiving the waste water from floors and galleries of buildings when they are washed, and conveying the same through spouts, by down-take pipes, so as to prevent such waste water from discharging directly on streets or inside any lower portion of the premises.

<sup>1</sup>[**164A.** For the purposes of this Chapter, premises shall be deemed to be without effectual drainage unless drainage therefrom is discharged or the drain attached thereto is emptied into a municipal drain or some place legally set apart for the discharge of drainage or a cesspool in accordance with the provisions of this Act.]

Premises deemed to be without effectual drainage.

**165.** (1) Where any premises are, in the opinion of the Commissioner, without sufficient means of effectual drainage, but not municipal drain or such place as aforesaid is situated at a distance not exceeding one hundred feet from some part of the said premises, the Commissioner may, by written notice, require the owner or occupier of the said premises—

Commissioner may enforce drainage of undrained premises not situate within hundred feet of municipal drain.

(a) to construct a drain up to a point to be prescribed in such notice, but not distant more than one hundred feet from some part of the said premises; or

(b) to construct a closed cesspool of such material, size and description in such position, at such level, and with allowance for such fall as the Commissioner thinks necessary and drain or drains emptying into such cesspool.

(2) Any requisition for the construction of any drain under sub-section (1) may comprise any detail specified in section 164.

**166.** Subject to the provisions of this Act, rules and by-laws, the occupier of any trade premises may, with the consent of the Commissioner, or so far as may be permitted by any such rules or by-laws without such consent, discharge into the municipal drains any trade effluent proceeding from those premises.

Special provisions relating to trade effluent.

<sup>2</sup>[**166A.** (1) Notwithstanding anything contained in this Act, or the rules or by-laws or any usage, custom or agreement, where in the opinion of the Commissioner any trade premises are without sufficient means of effectual drainage of trade effluent or the drains thereof, though otherwise unobjectionable are not adapted to the general drainage system of the City, the Commissioner may by written notice require the owner or occupier of such premises—

Special provisions regarding drainage of trade effluents.

1. Section 164A was inserted by Guj. 19 of 1964, s. 7.

2. Section 166A was inserted, *ibid.*, s. 8.