



# THE KERALA HIGH COURT ADVOCATES' ASSOCIATION

Reg. No. ER 931/2004

High Court Building, Kochi - 682 031

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KHCAA/Misc-113/2021

26.07.2021

To,

The Hon'ble Minister for Water Resources  
Government of Kerala  
Secretariat, Thiruvananthapuram

Sir,

Petitioner is a registered Association of Advocates practicing before the Hon'ble High Court of Kerala. The total membership of the Association is over 8000 presently. The Association has constructed a Chamber Complex in connection with its Golden Jubilee celebrations in the High Court campus itself having 547 Advocates' Chambers with some common facilities which includes a coffee house and two public financing institutions, a book house, a shop and an ATM.

2. The 547 Advocates' Chambers are being utilized by around 2000 persons because each chamber in addition to the senior and junior lawyers has stenographers and clerks in addition to the casually visiting clients. Though there is an underground sump storage facility for nearly 1,75,000 litres of water, presently the water available in the sump is negligibly little compared to the storage capacity. As a result of this situation, the Association is presently facing acute water scarcity and it has resulted in the frequent purchase of water by the Association from private agencies in tanker lorries. The quality of water thus supplied is often deplorable. The acute problem we face is owing to the wide gap between the present availability from K.W.A and the actual consumption. We applied to get water connection through a larger pipe because in several establishments in our vicinity with a lesser number of occupants it





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-2-

is seen that connections have been given with larger sized pipes and water meters. But the application submitted by the Association for 110 mm pipe and 100 mm water meter to the Chamber Complex has been rejected and it is proposed to sanction a much lower size pipe and meter which cannot be of any assistance to overcome the present crisis and problems faced by us.

3. It may please be noted that the supply line of water authority goes through the northern side of the main road on the southern side of the Chamber Complex. Out of the two supply lines of 3 inch and 8 inch, presently the connection is given from 3 inch supply line through half-inch pipe. The said connection is to be substituted by a 110 mm pipe line and 100 mm water meter and the supply may be directed to be given from the 8 inch supply line.

4. It is humbly pointed out that there is no legal embargo in granting the aforesaid relief as in deserving cases, water supply can be given through larger sized pipes and consequently use of larger sized water meters also can be allowed. The position of law is as given below:

The Sec. 38A of the Kerala Water Supply and Sewerage Act, 1986 reads as follows:-

*"38A:- Water Supply to Flats and multi-storied buildings:-*

- (1) Notwithstanding anything contained in the Act, and subject to sub-section (2), the authority may supply water through cisterns, tanks, sumps, and ground level reservoirs to multi-storied buildings and flats, subject to such terms and conditions as may be provided by regulations.*
- (2) The supply of water referred to sub-section (1) shall not be made from a distribution main having a diameter of 150 mm or less".*





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-3-

The Regulation 7 (g) of the Kerala Water Authority (Water Supply) Regulations, 1991 reads as follows:-

*"7 (g)- House Connections using connection pipes of size exceeding 25 mm diameter shall ordinarily be allowed only in respect of premises where water demand is estimated to be high such as in residential complexes, flat type of residential buildings or premises where bulk consumption of water is expected and where the service pipe is proposed to be connected directly to a storage tank facilitating a free discharge of water to it. In such cases where connections are to be given directly to storage, reservoirs, the provisions contained in Appendix C to these regulations shall apply".*

5. The above provisions are made for the benefit of not only eligible consumers but also K.W.A since it lacks sufficient facilities for storage of water. The provisions do help the K.W.A to make use the storage facilities of consumers like this Association. Giving connection through a larger pipe will improve the efficiency of the Water Authority connection. The supply line as stated supra is having an 8-inch diameter from which the connection can be given in compliance with the above provisions. Moreover, the Water Authority has given similar connections through larger sized pipes to various multi-storied structures in and around the locality and the same is an aspect worth mentioning.

6. It is pertinent to note that in an identical situation, the Hon'ble Permanent Lok Adalat, Ernakulam as per the Order dated 1-7-2014 in OP No. 64 of 2014 had passed an Award whereby the Kerala Water Authority was directed to provide water connection to the multi-storied building named "DD Silver stone" using a connecting pipe having a diameter of not less than 63 mm. This award was





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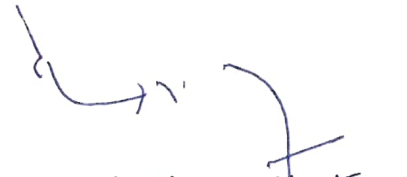
-4-

challenged by the Kerala Water Authority before the Hon'ble High Court in WP (C) No. 24314 of 2014. As per the Judgment dated 25-9-2014, the Hon'ble High Court disposed of the matter when it was submitted that the Water Authority had already taken steps to comply with the Order. In view of the above-stated facts, the rejection of the Application of the Association by the Kerala Water Authority is untenable and hence the request warrants a favourable reconsideration by this Hon'ble Authority.

In the light of the above, the Hon'ble Minister for Water Resources, Kerala State, may be pleased to see that in the interest of justice it has become essential to issue urgent directions to the Executive Engineer/Assistant Executive Engineer of the PH Division of the Kerala Water Authority at Ernakulam to grant connection to Consumer No. E40/4036/N – Non Domestic in the name of Kerala High Court Advocates Association for its Golden Jubilee Chamber Complex situated adjacent to the High Court Complex, Ernakulam; through 110 mm pipe line and 100 mm water meter and also to further direct that the said connection may be permitted to be granted from the 8 inch pipe line and thus help us to overcome the serious crisis faced by our members owing to dearth of potable water. It is humbly prayed accordingly.

Yours Faithfully,



  
Adv. Thomas Abraham  
President, KHCAA.