

## ANNEXURE-13

(Referred to in para 15.20 of Chapter 15)

OFFICE OF THE CHIEF ENGINEER, PWD, B & R,  
RAJASTHAN, JAIPUR.

## CIRCULAR-12

(5-Roads)

No. F. 59 (1) Sec. II/76.

Dated 21-8-78 ✓

It has been observed that the property holders along our Highways, instead of providing proper soak pit etc. for sullage let it out on our Highways with the result that the road surface gets damaged causing lot of hindrances to the traffic similarly, natural drainage lines are obstructed along the roads resulting in the flooding or breaching of the roads. As per the existing law action could be taken against such mischief makers responsible for the situation referred to above.

In this regard Sections 431 and 432 of the Indian Penal Code are reproduced below:—

"431—Mischief by injury to public road, bridge, river or channel:—

Whoever commits mischief by doing any act which renders or which he knows to be likely to render any public road, bridge, navigable river or navigable channel, natural or artificial; impassable or less safe for travelling or conveying property, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both."

"432—Mischief by causing inundation or obstruction to public drainage attended with damage:—

Whoever commits mischief by doing any act which causes or which he knows to be likely to cause an inundation or an obstruction to any public drainage attended with injury are damages shall be punished with imprison-

ment for a term which may extend to five years, or with fine or with both.

Thus it would be evident that under these two sections of I.P.C. any body who causes damage to the public road, bridge, river or channel by not making proper arrangements for the disposal of sullage etc., or by obstructing public drainage etc. can be prosecuted by lodging a report with the nearest police station.

The officers of the department; should under the provisions of law referred to above should take action by reporting the matter to the police against those persons who cause damage to the highways or the other property of the department as a result of action taken by them.

Sd/-

Chief Engineer (B&amp;R)

कार्यालय मुख्य अभियन्ता, सार्वजनिक निर्माण विभाग, राजस्थान, जयपुर

दिनांक 14/6/12

क्रमांक : एफ.एस.क्यू.129(3)अनु.15/सा.नि./2012/डी-413

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

- (1) मुख्य अभियन्ता एवं अतिरिक्त सचिव, सा.नि.वि. राजस्थान, जयपुर।
- (2) मुख्य अभियन्ता (पथ)/पीएमजीएसवाई/एसएस/एनएच, सा.नि.वि. राजस्थान, जयपुर।
- (3) अतिरिक्त मुख्य अभियन्ता, सार्वजनिक निर्माण विभाग, सम्भाग— समस्त।
- (4) अधीक्षण अभियन्ता, (समस्त)/पथ/एसएस/पीएमजीएसवाई/बीओटी, एन.एच., सा.नि.वि., जयपुर।
- (5) अधिशाषी अभियन्ता, खण्ड— समस्त।
- (6) अधिशाषी अभियन्ता, (मुख्यालय) सा.नि.वि. राजस्थान, जयपुर।
- (7) उद्यान विज्ञ सा.नि.वि. राजस्थान, जयपुर।

भवदीय,

  
(अशोक अरोड़ा) 12/6/12

अधीक्षण अभियन्ता एवं तकनीकी सहायक-प्रथम  
सा.नि.वि/राज., जयपुर।