

## ABSTRACT

**Thesis Title : Legal Problems on Land Use for Public : A Case Study on State Enterprise of the Provincial Water Works Authority**

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The Provincial Water Works Authority is the state enterprise as an corporate organization establishing for water work for public not only the water sources management but also conduct any concerning activities as such. The mission of this organization based on the elementary public service on water supply for public hygiene and general water use in daily life

To accomplish the aims of task, The Provincial Water Works Authority are inevitable to exploit land use for water supplying to product water and run on the pipe in any area such as royal land, municipal land. The main law, the Provincial Water Works Authority Act B.E. 2522 section 30, allows the organization to search the water sources for production and lining the water pipe in any places which owning by the private as well as the Public organization to service water for consuming and using on the basic principle that the owners of such areas would be getting the advantage in such conduct.

Be that as it may, the obstacles and problems in the proceduring of the Provincial Water Works Authority are more increasing due to the passing laws concerning the guarantee of individual's rights especially for the properties.

As for referring to section 30 of such act to use for success the task, there are relevant problems as follows;

Firstly, The provision of the Provincial Water Works Authority Act conflicted with the current constitution. The cause of this problem was the Provincial Water Work Authority claimed section 30 of the act to employ, in particular, to line the pipe sizing not bigger than 80 c.m., in the private land without the compulsory purchase and pay the appropriate compensation. This is as the violation of the ownership of property which the constitution guaranteed.

Secondly, There is an any appropriate benchmark to pay the compensation. This problem concerned the building and any activities to contribute in lining the pipe; The Provincial Water Works Authority claimed the act of power to cut and damage anything or manage any matter in any land for the lined up pipe to take care in water transportation on line by paying the proper compensation. However, there are no any criteria to pay for such damage exactly.

Thirdly, The problem of land using under the control of the public institutions. In some area, especially the public areas in urban, there are several laws and organization such as manicipal, public royal land, etc., taking care such the land. In case of using such a land by the Provincial Water Works Authority will lead to not only the coordinating but also the use of concerning laws properly.

The suggestion from this study are (there should be) amending legal clauses in some provisions of The Provincial Water Works Authority Act for flexibility to use land for working by referring the coincidence of mixing tasks such as the protection of environment, setting the appropriate criteria for compensation including improve the relevant regulations to ability to use the private and public land for water work obviously.