

**THE PUNJAB NEW TOWNSHIPS (STREET
LIGHTING AND WATER SUPPLY) FEES
ACT, 1950.**

PUNJAB ACT No. IX OF 1950.

[Received the assent of His Excellency the Governor on the 12th April, 1950, and first published in the Punjab Government Gazette (Extraordinary) of April 15, 1950.]

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Year	No.	Short title	Whether repealed or otherwise affected by legislation
1950	IX	The Punjab New Townships (Street Lighting and Water Supply) Fees Act, 1950.	Amended by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968

It is hereby enacted as follows :—

1. (1) This Act may be called the Punjab New Townships (Street Lighting and Water Supply) Fees Act, 1950. Short title, extent and commencement.

(2) It shall extend to such new townships of the ²[Union territory of Chandigarh] as the ³[Central Government] may by notification direct.

(3) It shall come into force whether prospectively or retrospectively in such townships to which it is extended from the dates to be notified by the ³[Central Government].

2. In this Act, unless there is anything repugnant in the subject or context,— Definitions.

(a) "house" means a residential house, house-cum-shop or house-cum-workshop in the new townships and includes houses constructed on plots purchased from Government in the new townships of ²[Union Territory of Chandigarh].

(b) "purchaser" means an individual, company, co-operative society or association or body of individuals, whether incorporated or not, who has/have purchased and/or occupied a house or

¹For Statement of objects and Reasons, see Punjab Government Gazette Extraordinary, 1950, page 166-S; for proceedings in the Assembly, see Punjab Legislative Assembly Debates, Volume I, 1950, pages (18) 94-18 (95 and (19) 37—(19) 71.

²Substituted for the word "Punjab" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

³Substituted for the words "State Government." by *ib id.*

houses, or/and plot or plots in the new townships and includes the predecessors and successors of interest of such purchaser ;

- (c) "Deputy Commissioner" means a Deputy Commissioner of the District in which the new township is situate ;
- (d) "prescribed" means prescribed by rules made under this Act ;
- (e) "Controlling Authority" means the authority competent to make recovery of the fees under the powers conferred by this Act ;
- (f) "new township" means a colony of houses for the rehabilitation of displaced persons that has been or may hereafter be established by the ¹[Central Government].

Controlling Authority.

3. (1) For the purposes of making the street lighting and/or water supply available to the purchasers of the houses in new townships in ²[Union territory of Chandigarh] the ¹[Central Government] may appoint the Deputy Commissioner or any other officer as controlling authority.

(2) A controlling authority may with the sanction of the ¹[Central Government] delegate any of his functions under the Act to any officer of the ¹[Central Government] within his jurisdiction whether by name or by designation.

Rate of fee.

4. (1) The purchaser in a new township shall be liable to pay fees at a rate not exceeding Rs 3-8-0 and Rs 6-8-0 for street lighting and water supply, respectively, per mensem per house in the new township.

(2) The fee shall be paid by the purchaser in respect of which it has been levied.

(3) Where the fee due from any person is in arrears it shall be lawful for the controlling authority to demand the fee from any person paying rent in respect of that house or any part thereof and requiring him to make all future payments if rent to the controlling authority until such arrears shall have been duly paid and such demand shall operate to transfer to the controlling authority the right to recover, recieve and give a discharge for such rent.

¹. Substituted for the words "State Government" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

². Substituted for the words "Punjab" by *ibid.*

5. (1) The fee shall be paid by the purchaser on or before the 5th of the month to which it relates or if it relates to any period before the coming into force of this Act, within three months of the notice of demand and in not more than three instalments and shall be deposited in the Treasury or in such other Scheduled Bank as may be specified by the controlling authority from time to time. Mode of payment.

(2) A purchaser may at his option deposit the fee for the next six months in advance along with the half yearly instalment towards payment of the cost of the house purchased by him, if due.

(3) An intimation of the payment having been made shall be given by the purchaser to the controlling authority or such other person as may be appointed in this behalf by the controlling authority.

(4) If the fee is not paid on the due date under subsection (1), interest at a rate not exceeding 6 per cent per annum may be chargeable on the amount due till it is fully paid.

6. In case of default all arrears of the fee payable to the ¹[Central Government] under the Act including interest chargeable thereon and costs, if any, incurred may be realised as arrears of land revenue. Procedure in case of default.

7. (1) The decision of the ¹[Central Government] as to the levy of the fee and the person liable therefor shall be final and no suit shall lie in any court to question any matter whatever in relation to this Act or the rules made thereunder. Finality of decision of the Central Government.

(2) The ¹[Central Government] may by special order exempt any purchaser from the payment of the fee or the interest accrued due, as the case may be.

8. No prosecution, suit or other proceedings shall lie against the ¹[Central Government] or any public servant or other authority vested with powers under this Act for anything in good faith done or intended to be done thereunder. Bar to legal proceedings.

¹. Substituted for the words "State Government" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

Private connections
in houses.

9. If a purchaser obtains a private water connection in his house, no extra charge for water other than the water-supply fee prescribed in section 4 of this Act will be levied, but he shall have to bear the cost of service connection and pipes, from the nearest public main to his house together with the necessary departmental charges.

Power to make
rules.

10. The ¹[Central Government] may make rules consistent with this Act for the carrying out of all or any of its purposes.

¹Substituted for the words "State Government" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.