



The Punjab New Townships (Street Lighting and Water Supply) Fees Act,
1950

Act 9 of 1950

Keyword(s):

House, Purchaser, Controlling Authority, New Township

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

ARRANGEMENT OF SECTIONS

SECTIONS

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

(PUNJAB ACT IX OF 1950)¹

[Received the assent of His Excellency the Governor on the 12th April, 1950, and was published in the Punjab Government Gazette, Extra., dated the 15th April, 1950].

Amended, repealed or otherwise affected by,—

- (i) Punjab Act No. 26 of 1956², published in the Punjab Gazette, Extra., dated the 24th September, 1956.
- (ii) A.O. 1968, published in R.H.P., dated the 1st February, 1969, pages 158—161.
- (iii) A.O. 1973, published in R.H.P., Extra dated the 20th January, 1973, pages 91—112.

It is hereby enacted as follows :—

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

(2) It shall extend to such new townships of the ³[territories specified in sub-section (1) of section 5 of the Punjab Re-organisation Act, 1966] as the ⁴[State Government] may by notification direct.

1. For Statement of Objects and Reasons, see Punjab Government Gazette (Extra.), 1950, p. 166-S. The Act applies only to merged areas by virtue of sec. 88 of the Punjab Re-organisation Act, 1966.

2. For Statement of Objects and Reasons, see the Punjab Gazette (Extra.), dated the 13th June, 1956.

3. Subs. for "the Punjab" by A.O. 1968.

4. Subs. for the expression "Central Government" (which was subs. for "State Government" by A.O. 1968) by A.O. 1973.

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(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 ¹[State Government].

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

(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 the ²[territories specified in sub-section (1) of section 5 of the Punjab Reorganisation Act, 1966.]

(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 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[State Government].

3. Controlling Authority.—(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[the territories specified in sub-section (1) of section 5 of the Punjab Reorganisation Act, 1966], the ¹[State Government] may appoint the Deputy Commissioner or any other officer as controlling authority.

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

1. Subs. for the expression “Central Government” (which was subs. for “State Government” by A.O. 1968) by A.O. 1973.

2. Subs. for “Punjab” by A.O. 1968.

4. Rate of fee.—(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 of 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, receive and give a discharge for such rent.

5. Mode of payment.—(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.

(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 sub-section (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. Procedure in case of default.—In case of default all arrears of the fee payable to the ¹[State Government] under the Act including interest chargeable thereon and costs, if any, incurred may be realized as arrears of land revenue.

7. Finality of decision of the State Government.—(1) The decision of the ¹[State 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.

(2) The ¹[State Government] may by special order exempt any purchaser from the payment of the fee or the interest accrued due, as the case may be, ²[if in its opinion, such exemption would promote national or public interest].

1, Subs. for the expression "Central Government" (which was subs. for "State Government" by A.O. 1968) by A.O. 1973.

2, Added by Punjab Act No. 26 of 1956.

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8. Bar to legal proceedings.—No prosecution, suit or other proceedings shall lie against the ¹[State 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.

9. Private connections in houses.—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.

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