



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

Act 9 of 1950

**Keyword(s):**

**House, Purchaser, New Township**

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

(ACT NO. 9 OF 1950)

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**1950: Pb Act 9] NEW TOWNSHIPS (STREET LIGHTING AND WATER SUPPLY) FEES**

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

PUNJAB ACT No. 9 OF 1950

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

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1950	9	The Punjab New Townships (Street Lighting and Water Supply) Fees Act, 1950.	Amended by Punjab Act. 26 of 1956. <sup>2</sup>

It is hereby enacted as follows.—

Short title, extent and commencement.

1. (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 Punjab as the State 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 State Government.

1 For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary) 1950, page 165-S ; for Proceedings in the Assembly, see *Punjab Legislative Assembly Debates*, Volume I, 1950, pages (18) 94—(18) 95 and (19) 37 (19) 71.

2. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary), 1956, P. 818.

## Definitions.

2. 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 town-ships and includes houses constructed on plots purchased from Government in the new townships of Punjab;
- (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 ;
- (j) "new township " means a colony of houses for the rehabilitation of displaced persons that has been or may hereafter be established by the State Government.

Controlling Au-  
thority.

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 Punjab; the State Government may appoint the Deputy Commissioner or any other Officer as controlling authority.

(2) A controlling authority may with the sanction of the State Government delegate any of his functions under the Act to any officer of the State 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 fees 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. (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 pay-  
ment.

(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 State 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 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.

Finality of deci-  
sion of the State  
Government.

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(2) The 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, '[if in its opinion such exemption would promote national or public interest]

Bar to legal proceedings.

8. No prosecution, suit or other proceedings shall lie against the 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 there-under.

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 State Government may make rules consistent with this Act for the carrying out of all or any of its purposes.

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<sup>1</sup>Added by Punjab Act 26 of 1956, section 2.