



The Punjab Infrastructure Development Act, 1998

Act 1 of 1999

Keyword(s):

Collecting Authorities, Fund, Infrastructure Development

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

The Punjab Infrastructure Development Act, 1998

(PUNJAB ACT NO. 1 of 1999)

CONTENTS

Sections	Pages
1. Short title and Commencement.	
2. Definitions.	
3. Establishment of Board.	
4. Levy of cess.	
5. Constitution of Fund.	
6. Purpose for which the fund may be applied.	
7. Audit.	
8. Protection of action taken in good faith.	
9. Power to make rules.	
10. Power to make regulations.	
11. Power to remove difficulties.	
12. Repeal and Saving.	

SCHEDULE

THE PUNJAB INFRASTRUCTURE DEVELOPMENT ACT, 1998

(PUNJAB ACT NO. 1 OF 1999)

[Received the assent of the Governor of Punjab on the 8th January, 1999, and was first Published for general information in Punjab Government Gazette (Extraordinary), Legislative Supplement dated the 12th January, 1999.]

AN ACT to provide for the establishment of the Punjab Infrastructure Development Board and Punjab Infrastructure Fund with a view to accelerate the development of infrastructure with or without private sector participation in the State.

BE it enacted by the Legislature of the State of Punjab in the Forty-ninth Year of the Republic of India as follow:—

1. (1) This Act may be called the Punjab Infrastructure Development Act, 1998.

Short title and Commencement.

(2) It shall come into force at once.

2. In this Act, unless the context otherwise requires.—

Definitions.

(a) “Board” means the Punjab Infrastructure Development Board established under section 3;

(b) “Collecting Authorities” means the collecting authorities to be prescribed by rules made under this Act;

(c) “Fund” means the Punjab Infrastructure Development Fund constituted under section 5;

(d) “Government” means the Government of Punjab in the Department of Finance;

(e) “prescribed” means prescribed by rules made under this Act;

(f) “regulation” means regulations made by the Board under this Act;

(g) “Schedule” means the Schedule appended to this Act; and

(h) “Saction” means saction of this Act.

3. (1) The Government may, by notification in the Official Gazette, establish for the purpose of carrying out the provisions of this Act, a Board to be called the Punjab Infrastructure Development Board.

Establishment of Board.

¹For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), dated the 18th December, 1998, page 2087 (6).

(2) The constitution, powers, functions, objectives and officers and employees of the Board shall be such as may be prescribed by the Government.

Levy of cess-

4. (1) Notwithstanding anything contained in any other law for the time being in force and subject to the rules made under this Act, there shall be levied for the purpose of the Act, a cess on *ad valorem* basis, at a rate of rupee one for every one hundred rupees in respect of all the articles specified in the Schedule on all the sales effected after coming into force of this Act and on all the sales of goods made under the Punjab General Sales Tax Act, 1948.

(2) The Government after giving by notification not less than twenty days' notice of its intention so to do, may, add to or delete from the Schedule any article and Thereupon the Schedule shall be deemed to be amended accordingly'

(3) The cess levied under sub-section (1), shall be collected in such manner, as may be prescribed.

(4) The proceeds of the cess levied under sub-section (1), shall be transferred by the collecting authorities to the Fund within such period, as may be prescribed.

Constitution of Fund

5. There shall be constituted a Fund to be called the Punjab Infrastructure Development Fund, which shall vest in the Board established under section 3.

Purpose for which the fund may be applied.

6. (1) The Fund shall be applied for the development of infrastructure in the State of Punjab and infrastructure facilities in the country having direct benefit to the economy of the State of Punjab.

(2) Without prejudice to the generality of sub-section (1), the Fund shall be specially applied for infrastructure development in the following, sectors, namely :—

- (a) transportation, roadways, including, roads which may be national highways, state highways, major district roads (plan roads), other district roads, and village roads, express ways, by-passes bridges, interchanges, roads over and under bridges road transport system and water transportation;
- (b) power generation, transmission and distribution ;
- (c) infrastructure for information technology;
- (d) inland container facilities, container transport and warehousing for export purposes;
- (e) industrial parks and Modern Industrial Townships;
- (f) water-supply and sewerage disposal and treatment systems, solid waste management, roads, street lights, parks and gardens and urban mass transport systems;

(g) irrigation ; and

(h) any other infrastructure as may be decided by the Board for betterment of the economy of the State of Punjab.

Explanation.—“Infrastructure Development” shall include creation and addition of new infrastructure facilities, replacement of existing facilities and strengthening and augmenting of existing facilities.

7. The accounts of the Fund constituted under section 5 shall be audited by the Local Fund Examiner, Punjab.

Audit.

8. No suit, prosecution or other legal proceeding shall lie against the Government or any other officer of the Government or the Board in respect of anything, which is in good faith done or intended to be done in pursuance of the provisions of this Act, rules or regulations made or any order issued thereunder.

Protection of
action taken in
good faith.

9. (1) The Government may, by notification, make rules for carrying out the purposes of this Act.

Power to make
rules.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for, —

(a) Constitution, powers, functions, objectives and officers and employees of the Board under sub-section (2) of Section 3;

(b) the manner of Collection of cess under sub-section (3) of Section ;

(c) the period within which the amount is to be transferred to the Fund under sub-section (4) of Section 4; and

(d) any other matter, which has to be or may be prescribed.

(3) Every rule made under this Section shall be laid as soon as may be after it is made, before the House of the State Legislature while it is in session for a total period of ten days, which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session in which, it is laid or the successive sessions as aforesaid, the House agrees in making any modification in the rule or the House agrees that the rules should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rules.

10. (1) The Board may, from time to time, with the previous approval of the Government, make regulations not inconsistent with this Act and the rules made thereunder for giving effect to the provisions of this Act.

Power to make
regulations.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may, provide for,—

(a) transacting the business at the meetings of the Board; and

(b) the conditions of service of the officers and employees of the Board and their functions and duties.

Power to re-
move difficul-
ties.

11. If any difficulty arises in giving effect to the provision of this Act, the Government may, by order, make such provisions including any adaptation or modification of any provision of this Act, as appears to the Government to be necessary or expedient for the purpose of removing the difficulty :

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

Repeal and
Saving.

12. (1) The Punjab Infrastructure Development Ordinance, 1998 (Punjab Ordinance No. 7 of 1998), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of this Act.

SCHEDULE

[See Section 4(1) and (2)]

Serial No.	Description of articles and goods
1	All agricultural produces except fruits, vegetables and pulses as defined in the Punjab Agricultural Produce Market Act, 1961; and
2	Petrol.
