



**The Punjab Ancient, Historical Monuments, Archaeological Sites and Cultural
Heritage Maintenance Board Act, 2013**

Act 29 of 2013

Keyword(s):

Ancient and Historical Monuments, Fund, Built Heritage

Amendment appended: 43 of 2013, 19 of 2015, 29 of 2015

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PART I

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

NOTIFICATION

The 15th April, 2013

No. 29-Leg./2013.-The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 10th Day of April, 2013, is hereby published for general information:-

**THE PUNJAB ANCIENT, HISTORICAL MONUMENTS,
ARCHAEOLOGICAL SITES AND CULTURAL HERITAGE
MAINTENANCE BOARD ACT, 2013
(Punjab Act No. 29 of 2013)**

AN

ACT

to provide for the establishment of the Punjab Ancient, Historical Monuments, Archaeological Sites and Cultural Heritage Maintenance Board with a view to provide for a dedicated Fund for the conservation and preservation of the protected and unprotected built heritage of the State as well as operation and maintenance and upkeep thereof and funding for heritage memorials to be created/constructed as well as operation and maintenance thereof in the State through collection of Cultural Cess and the matters incidental thereto and connected therewith.

BE it enacted by the Legislature of the State of Punjab in the Sixty-fourth Year of the Republic of India as follows :-

1. (1) This Act may be called the Punjab Ancient, Historical Monuments, Archaeological Sites and Cultural Heritage Maintenance Board Act, 2013. Short title and commencement.
- (2) It shall come into force at once.
2. In this Act, unless the context otherwise requires,- Definitions.
 - (a) "Act" means the Punjab Ancient, Historical Monuments, Archaeological Sites and Cultural Heritage Maintenance Board Act;

- (b) "Ancient and Historical Monuments" means the Ancient and Historical Monuments as defined in the Punjab Ancient and Historical Monuments and Archaeological Sites and Remains Act, 1964;
- (c) "Board" means the Punjab Ancient, Historical Monuments, Archaeological Sites and Cultural Heritage Maintenance Board established under section 3;
- (d) "Fund" means the Cultural Heritage Maintenance and Development Fund specified under section 5;
- (e) "Government" means the Government of the State of Punjab in the Department of Cultural Affairs, Archaeology and Museums, Punjab;
- (f) "prescribed" means prescribed by the rules made under this Act;
- (g) "protected built heritage" means any monument which is more than 100 years old and which has been declared protected by the Government under the "Punjab Ancient and Historical Monuments and Archaeological Sites and Remains Act 1964";
- (h) "regulations" means regulations made by the Board under this Act; and
- (i) "unprotected built heritage" means any monument which is more than 100 years old and which has not been declared protected by the Government under the "Punjab Ancient and Historical Monuments and Archaeological Sites and Remains Act 1964".

Establishment
of the Board.

3. (1) There shall be a Board to be called as the Punjab Ancient, Historical Monuments, Archaeological Sites and Cultural Heritage Maintenance Board for carrying out the purposes of this Act.

(2) The Board established under sub-section (1), shall consist of the following, namely:-

- (i) Chief Minister .. Chairman

(ii) Minister, Cultural Affairs	..	Vice-Chairman
(iii) Chief Secretary	..	Member
(iv) Financial Commissioner Development	..	Member
(v) Principal Secretary to Chief Minister	..	Member
(vi) Principal Secretary, Cultural Affairs	..	Member
(vii) Principal Secretary, Finance	..	Member
(viii) Principal Secretary, Planning	..	Member
(ix) Principal Secretary, PWD	..	Member
(x) Secretary Mandi Board	..	Member
(xi) Director, Cultural Affairs	..	Member
		Secretary

(3) The Board shall be a body corporate having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, borrow and raise commercial loans and own and hold property and shall be in the said name, *sue* and be *sued*.

(4) The Government shall exercise general superintendence and control over the Board and its employees and may call for such information, as it may deem necessary.

(5) An estimate of annual income and expenditure of the Board for the ensuing Financial Year shall be got prepared by the Member Secretary in the manner as prescribed and the same shall be submitted to the Board for approval and same shall be sent to the Government within a period of three months from the commencement of every financial year.

4. (1) The Board may with the approval of the Government, create such posts and appoint such officers and other employees thereon as it may consider necessary for the efficient discharge of its functions.

Officers and employees.

(2) The conditions of service of officers and other employees referred to in sub-section (1) and their functions and duties shall be such as may be specified in the regulations made by the Board.

5. (1) There shall be a Fund to be called the Cultural Heritage Maintenance and Development Fund, which shall be made available to

Fund of the Board.

the Board by the Department of Finance for carrying out the purposes of this Act.

(2) The Fund shall be administered by the Board. The Fund shall have the following contributions, namely:—

(i) the amount of cess levied and collected under section 6;

(ii) Any grant received from the Government or any other source;

(iii) any additional income to the Department of Cultural Affairs, Archaeology and Museums, Punjab including any other miscellaneous receipt after the commencement of this Act;

(iv) donation and private contributions; and

(v) any other sum of money which the State Government may subsequently decide to contribute to the Fund.

Levy of cess.

6 (1) Notwithstanding anything contrary contained in any other law for the time being in force there shall be levied a cess at a rate of one per cent of the project cost for carrying out the purposes of this Act.

(2) The Cess levied under this section shall be collected in the manner as prescribed, by the Department concerned and agencies on the construction cost of Roads, Bridges, Flyovers, Road over Bridges/Road under Bridges (ROB's/RUB's) etc. undertaken by PWD, Mandi Board, Punjab Infrastructure Development Board, Punjab Roads and Bridges Development Board out of the state or its own resources.

(3) It shall also be levied on all buildings costing more than rupees fifty crores constructed by the agencies of the State out of their own or State resources.

(4) The proceeds of the cess levied under the sub-section (1), shall be credited by the agencies concerned directly into the consolidated fund of the State, within fifteen days of its collection under intimation to the Department of Cultural Affairs, Archaeology and Museums, Punjab.

(5) The cess so collected thereof shall be released by the State Government from under the Plan Scheme, to be created afresh, to the Board, periodically for application of the Funds.

7. The fund shall be utilized for the following purposes, namely:-
- (a) Preservation and conservation of the protected/unprotected monuments in the State;
 - (b) for the construction/creation of the buildings of State /National importance;
 - (c) operation and maintenance and upkeep of the buildings under sub section (b) above; and
 - (d) any other building.
8. The accounts of the Fund constituted under section 5, shall be audited by the Examiner Local Funds Accounts, Punjab.
9. No suit, prosecution or other legal proceedings shall lie against the Government or any 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 this Act or the rules made thereunder.
10. (1) The Government may, by notification, make rules for carrying out the purposes of this Act.
- (2) Every rule made under this section shall be laid as soon as may be after it is made before the House of State Legislature.
11. The Board may from time to time with the previous approval of the Government, make regulations not inconsistent with this Act and rules made thereunder, for the purpose of giving effect to the provisions of this Act.
12. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make such provisions including any adaptation or modification of any provisions 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.

Utilisation of Fund.

Audit.

Protection of action taken in good faith.

Power to make rules.

Power to make regulations.

Power to remove difficulties.

H.P.S. MAHAL,
Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.

PART I

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB
NOTIFICATION

The 3rd December, 2013

No. 54-Leg./2013.-The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 29th Day of November, 2013, is hereby published for general information:-

**THE PUNJAB ANCIENT, HISTORICAL MONUMENTS,
ARCHAEOLOGICAL SITES AND CULTURAL HERITAGE
MAINTENANCE BOARD (AMENDMENT) ACT, 2013**
(Punjab Act No. 43 of 2013)

AN

ACT

*further to amend the Punjab Ancient, Historical Monuments,
Archaeological Sites and Cultural Heritage Maintenance Board Act, 2013.*

BE it enacted by the Legislature of the State of Punjab in the Sixty-fourth Year of the Republic of India as follows:-

1. (1) This Act may be called the Punjab Ancient, Historical Monuments, Archaeological Sites and Cultural Heritage Maintenance Board (Amendment) Act, 2013. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. In the Punjab Ancient, Historical Monuments, Archaeological Sites and Cultural Heritage Maintenance Board Act, 2013 (hereinafter referred to as the principal Act), in section 5, in sub-section (2), for clause (ii), the following clause shall be substituted, namely:- Amendment in section 5 of Punjab Act 29 of 2013.

"(ii) any grant/amount received from the Government, the State Public Sector Undertakings that is Corporations, Boards, Trusts and Societies on account of percentage share of their revenues or out of their profits on a case to case basis or any other source;"

3. In the principal Act, in section 6,-

Amendment in
section 6 of
Punjab Act
No. 29 of 2013.

(i) after sub-section (2), the following sub-section shall be inserted, namely:-

"(2-A) There shall also be levied a cess under this section on the civil works to be executed by the Greater Mohali Area Development Authority and the works of the Punjab Water Supply and Sewerage Board, Department of Irrigation that is related to Irrigation, Drainage, Flood Management Programme and works of the Punjab State Tubewell Corporation and Ranjit Sagar Dam Project, Shahpur Kandi."; and

(ii) in sub-section (3), for the words "rupees fifty crores", the words "rupees fifteen crores" shall substituted.

H.P.S. MAHAL,
Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.

PART I

GOVERNMENT OF PUNJAB

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

NOTIFICATION

The 11th May, 2015

No. 19-Leg./2015.-The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 29th Day of April, 2015, is hereby published for general information:-

**THE PUNJAB ANCIENT, HISTORICAL MONUMENTS,
ARCHAEOLOGICAL SITES AND CULTURAL HERITAGE
MAINTENANCE BOARD (AMENDMENT) ACT, 2015**

(Punjab Act No. 19 of 2015)

AN

ACT

*further to amend the Punjab Ancient, Historical Monuments,
Archaeological Sites and Cultural Heritage Maintenance Board Act, 2013.*

BE it enacted by the Legislature of the State of Punjab in the Sixty-sixth Year of the Republic of India as follows:-

1. (1) This Act may be called the Punjab Ancient, Historical Monuments, Archaeological Sites and Cultural Heritage Maintenance Board (Amendment) Act, 2015. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. In the Punjab Ancient, Historical Monuments, Archaeological Sites and Cultural Heritage Maintenance Board Act, 2013, in section 7, for clause (b), the following clause shall be substituted, namely:- Amendment in section 7 of Punjab Act 29 of 2013.

"(b) for the construction/creation of the buildings of State/National importance and repayment of loans raised for construction/creation of the buildings of State/National importance;"

H.P.S. MAHAL,

Secretary to Government of Punjab,

Department of Legal and Legislative Affairs.

PART I

GOVERNMENT OF PUNJAB

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

NOTIFICATION

The 2nd December, 2015

No. 35-Leg./2015.-The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 18th day of November, 2015, is hereby published for general information:-

**THE PUNJAB ANCIENT, HISTORICAL MONUMENTS,
ARCHAEOLOGICAL SITES AND CULTURAL HERITAGE
MAINTENANCE BOARD (SECOND AMENDMENT) ACT, 2015.
(Punjab Act No. 29 of 2015)**

AN

ACT

*further to amend the Punjab Ancient, Historical Monuments,
Archaeological Sites and Cultural Heritage Maintenance Board Act, 2013.*

BE it enacted by the Legislature of the State of Punjab in the Sixty-sixth Year of the Republic of India, as follows:-

1. (1) This Act may be called the Punjab Ancient, Historical Monuments, Archaeological Sites and Cultural Heritage Maintenance Board (Second Amendment) Act, 2015. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. In the Punjab Ancient, Historical Monuments, Archaeological Sites and Cultural Heritage Maintenance Board Act, 2013, in section 7, for clause (b), the following clause shall be substituted, namely:- Amendment in section 7 of Punjab Act 29 of 2013.

“(b) for the construction/creation of the buildings of State/National importance, repayment of loans raised for construction/creation of the buildings of State/National importance and operation and maintenance of heritage memorial/project and Memorials;”.

H.P.S. MAHAL,

Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.