

PUNJAB VIDHAN SABHA

Bill No. 19-PLA-2015

THE PUNJAB INFRASTRUCTURE (DEVELOPMENT AND  
REGULATION) AMENDMENT BILL, 2015

A

BILL

*further to amend the Punjab Infrastructure (Development and Regulation)  
Act, 2002.*

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 Infrastructure (Development and Regulation) Amendment Act, 2015. Short title  
and  
commencement.

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

2. In the Punjab Infrastructure (Development and Regulation) Act, 2002, for section 25, the following section shall be substituted, namely :— Substitution of  
section 25 of  
Punjab Act 8  
of 2002.

“25 (1) With effect from the date of coming into force of this Act,  
Levy of and subject to the provisions of this Chapter, every person  
fee. shall be liable to pay a fee levied under this Act on the sale  
or purchase of the goods specified in Schedule III, on the value of  
consumption of electricity being supplied by the Punjab State Power  
Corporation Limited and purchase of immovable properties, within the  
State of Punjab at a rate, not exceeding six rupees for every one  
hundred rupees of the value of goods, electricity consumed and  
purchase of immovable property as the State Government may, by  
notification, direct.

(2) The fee shall be payable at the stage, mentioned in respect  
of goods in Schedule—III.

(3) Subject to the provisions of this Act and the rules made  
thereunder, the authorities for the time being empowered to assess,  
reassess, collect and enforce payment of tax under the Punjab Value  
Added Tax Act, 2005, shall, on behalf of the Punjab Infrastructure  
Development Board, assess, reassess, collect and enforce payment of  
fee, including any interest or penalty, payable by a person under this

Act, as if such fee or penalty or interest payable by such a person, is a tax or penalty or interest, payable under the Punjab Value Added Tax Act, 2005, and for this purpose, the aforesaid authorities may exercise all or any of the powers, exercisable by them under the Punjab Value Added Tax Act, 2005 and the rules framed thereunder and the provisions of the Punjab Value Added Tax Act, 2005 relating to the returns, provisional assessment, assessment, reassessment, rectification, review, advance payment of tax, registration of transferee of any business, imposition of the tax liability, carrying on the business on the transfer of successor to such business, transfer of any liability of any firm or Hindu Undivided Family to pay tax in the event of dissolution of such firm or partition of such family, recovery of tax from third parties, appeals, reviews, revisions, rectifications, references, refunds, rebates, interest or penalty, charging or payment of interest, compounding of offences and treatment of documents, furnished by a person as confidential, shall apply accordingly.

(4) (i) Subject to other provisions of this Act and the rules made thereunder, the authorities for the time being empowered to assess, reassess and collect and enforce electricity duty under the Punjab Electricity (Duty) Act, 2005 shall on behalf of Punjab Infrastructure Development Board also assess, reassess and collect and enforce payment of Infrastructure Development fee on the value of consumption of electricity including any interest or penalty payable by a person under this Act, as if, the fee or penalty or interest payable by such a person under this Act is a duty or penalty or interest payable by such a person under the Punjab Electricity (Duty) Act, 2005; and

(ii) Subject to other provisions of this Act and the rules made thereunder, such authorities, who are presently engaged in the collection of Stamp Duty, Social Infrastructure Cess shall also be empowered to assess, reassess and collect and enforce Infrastructure Development fee on purchase of immovable properties.

(5) The fee collected under sub-section (1), shall be deposited by the authorities, specified in sub-section (3) and sub-section (4) in the Development Fund within a period of one week from the date of its collection.

(6) The person shall deposit the amount of fee due from him either in cash or by cheque in a specified bank account.

*Explanation.*—(1) For the purposes of this Act, the expressions “sale”, “purchase” and “person” shall have the same meanings as have been assigned to them in the Punjab Value Added Tax Act, 2005.

(2) In respect of levy of Infrastructure Development fee on the value of consumption of electricity, the exemptions granted in respect of levy of electricity duty shall *mutatis mutandis* apply to the levy of Infrastructure Development fee on electricity consumed.”.

3. (1) The Punjab Infrastructure (Development and Regulation) Amendment Ordinance, 2015 (Punjab Ordinance No. 2 of 2015), is hereby repealed.

Repeal and savings.

(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 this Act.

## STATEMENT OF OBJECTS AND REASONS

In order to augment the resources for creating and developing more infrastructure facilities in the rural and urban sectors in the State of Punjab, it was decided to levy the Infrastructure Development Fee on the value of electricity consumed being supplied by Punjab State Power Corporation Ltd. and on the value of purchase of immovable property in the State of Punjab for creating additional revenue streams into the Punjab Infrastructure Development Fund.

In order to achieve the above purpose and to vest powers with the State Government for levying the ID Fee on the above items, the provisions of Section 25 of the Punjab Infrastructure (Development and Regulation) Act, 2002 was substituted through an amendment by promulgating the Punjab Infrastructure (Development and Regulation) Amendment Ordinance, 2015 on 15th June, 2015. The Punjab Infrastructure (Development and Regulation) Amendment Ordinance, 2015 is an important legislation through which the State Government has issued Notification dated 25th June, 2015 whereby, it has levied the ID Fee on the value of electricity consumed being supplied by Punjab State Power Corporation Ltd. and on the value of purchase of immovable property in the State of Punjab for creating and developing much needed infrastructure projects in the rural and the urban sectors of the State. The Punjab Infrastructure (Development and Regulation) Amendment Bill, 2015 seeks to confirm the provisions of the Punjab Infrastructure (Development and Regulation) Amendment Ordinance, 2015.

PARMINDER SINGH DHINDSA,  
Minister for Finance, Punjab.

## FINANCIAL MEMORANDUM

In terms of the powers vested with the State Government on the promulgation of the Punjab Infrastructure (Development and Regulation) Amendment Ordinance, 2015, ID Fee has been levied @ Rs. 5 for every one hundred rupees of the value of electricity consumed (exclusive of other levies/duties) being supplied by Punjab State Power Corporation Ltd. within the State of Punjab. Similarly, ID Fee has been levied @ rupee one for every hundred rupees of the value of purchase of immovable property within the State of Punjab. The Punjab Infrastructure (Development and Regulation) Amendment Bill, 2015 is being introduced for confirming the provisions of the Punjab Infrastructure (Development and Regulation) Amendment Ordinance, 2015 whereby, additional revenue streams in the form of the ID Fee as levied above shall continue to flow into the Punjab Infrastructure Development Fund. This fund is being/shall be utilized for the creation/development of much needed infrastructure facilities in the rural and urban sector in the State of Punjab.

---

The Governor has, in pursuance of clause (1) and (3) of Article 207 of the Constitution of India, recommended to the Punjab Legislative Assembly, the introduction and consideration of the Bill.

CHANDIGARH :  
The 21st September, 2015.

SHASHI LAKHANPAL MISHRA,  
Secretary.

---

*N.B.*— The above Bill was published in the *Punjab Government Gazette (Extraordinary)*, dated the 21st September, 2015 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).