

PUNJAB VIDHAN SABHA

Bill No. 42-PLA-2016

**THE AMRITSAR CULTURE AND TOURISM DEVELOPMENT AUTHORITY
BILL, 2016**

A

BILL

to provide for the constitution of an Authority for preservation, maintenance, cleanliness, provision for supply of essential services like electricity, water supply, beautification and monument lighting, sanitation, proper maintenance of roads and disposal of solid waste in the vicinity and around the specified areas or sites, services/structures for development and promotion of tourism in Amritsar.

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

1. (1) This Act may be called the Amritsar Culture and Tourism Development Authority Act, 2016.

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 this Act, unless the context otherwise requires,—

Definitions.

(a) “Authority” means the Amritsar Culture and Tourism Development Authority ;

(b) “Executive Committee” means the Executive Committee constituted under section 5 ;

(c) “Fund” means the fund of the Authority ;

(d) “Government” means the Government of the State of Punjab in the Department of Tourism and Cultural Affairs :

- (e) "prescribed" means prescribed by the rules made under this Act ;
- (f) "regulations" means regulations made by the Authority under this Act ;
- (g) "specified areas" means areas specified under section 3 ; and
- (h) "Tourism Police" means the Tourism Police referred in section 6.

Applicability.

3. (1) This Act shall apply within the radius of 500 meters to 750 meters, as may be specified by the Authority with regard to the following heritage, tourism and cultural sites in Amritsar, namely :—

- (i) Sri Golden Temple ;
- (ii) Sri Durgiana Mandir ;
- (iii) Ram Tirath Mandir ;
- (iv) Gobindgarh Fort ;
- (v) Town Hall ;
- (vi) Panorama ; *and*
- (vii) Urban Haat.

(2) It shall also apply to the following, namely :—

- (i) Facades of all buildings ; and
- (ii) Roads, Round-about and Street furniture (Town Hall to Golden Temple and Exit).

(3) It shall also apply to the following services, namely :—

- (i) Hop on Hop off Bus Service ; and
- (ii) Amphibious Bus Service.

(4) The Government may by notification, from time to time, include any other site/services/structures.

4. (1) There shall be an Authority to be called the Amritsar Culture and Tourism Development Authority for carrying out the purposes of this Act. The Authority shall be competent to undertake works in the specified areas.

Constitution of
Authority.

(2) The Authority shall consist of,—

- (a) Chief Minister, Punjab ; : Chairman
- (b) Deputy Chief Minister, Punjab ; : Co-Chairman
- (c) Minister, Tourism and Cultural Affairs, Punjab ; : Member
- (d) Minister, Local Government, Punjab ; : Member
- (e) Chief Secretary to Government, Punjab ; : Member
- (f) Additional Chief Secretary/
Principal Secretary to Government
of Punjab, Department of Finance ; : Member
- (g) Additional Chief Secretary/
Principal Secretary to Government
of Punjab, Department of Local
Government ; : Member

- (h) Principal Secretary to Chief Minister, Punjab ; : Member
- (i) Principal Secretary to Government of Punjab, Department of Tourism and Cultural Affairs ; : Member
- (j) Principal Secretary to Deputy Chief Minister, Punjab ; : Member
- (k) Secretary, Public Relations, Punjab ; : Member
- (l) Technical Advisor to Chief Minister, Punjab ; and : Member
- (m) Director, Tourism and Cultural Affairs. : Member-Secretary

(3) Notwithstanding anything contained in this Act, the Authority shall not interfere in any manner with the powers and functions of other local authorities in the matters such as levying of taxes, cess etc.

(4) The Government may by notification induct or remove or nominate any other member in the Authority by assigning the reason thereof.

The Executive Committee.

5. There shall be an Executive Committee to discharge day to day work of the Authority. The Executive Committee shall consist of,—

- (i) Deputy Commissioner, Amritsar ; : Chief Executive Officer
- (ii) Deputy Commissioner of Police concerned ; : Member
- (iii) Director, Tourism and Cultural Affairs, Punjab ; and : Member
- (iv) Commissioner, Municipal Corporation, Amritsar. : Member-Secretary

Member

6. There shall be a Tourism Police, to be provided by the Department of Home Affairs, for providing safety, security and render assistance to the tourists visiting the specified areas. Tourism Police.

Member

7. The Authority shall be responsible for,— Responsibility of the Authority.

Member

(i) Planning, coordination and implementation of all activities, events, virtual reality shows, live performances etc., projects and other matters incidental therewith for management, maintenance, marketing and operation of the specified areas ;

Member

(ii) Operation and maintenance of sanitation work in the specified areas ;

Member

(iii) Operation and maintenance of facade of buildings near Golden Temple and regulatory control of facades in the specified areas ;

Member-Secretary

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(iv) Operation and maintenance of lighting in the specified areas ;

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(v) Operation and maintenance of overall infrastructure in the specified areas ;

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(vi) Upkeep and maintenance of all civic facilities in the specified areas ;

Chief Executive Officer

(vii) Undertaking overall comprehensive development, including holding of conferences and seminars and all functions, as may be necessary to promote tourism and increase tourist footfall ;

Member

(viii) Enter into an agreement with any individual, NGO, Agency or body, as may be necessary for the discharge of its functions after following the due process, as may be specified by the Government from time to time ; and

Member

(ix) Any other activity as the Authority may decide to take up from time to time in the interest of promotion of tourism.

Member-Secretary

Fund for the Authority.

8. To carry out the activities of the Authority, the fund would be provided by the State Government out of the cess collected under the Excise Policy of the State Government or any other source, as may be prescribed.

Officers and employees of the Authority.

9. The Authority may, with the approval of the Government, create such posts and appoint such officers and other employees, as it may consider necessary for the efficient discharge of its functions.

Offences and penalties.

10. Any person who destroys, defaces, removes, injures, litters, or imperils the specified areas shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both :

Provided that the offences under the Punjab Municipal Corporation Act, 1976 and the Ancient, Monuments Preservation Act, 1904 or any other Act, as may be applicable to the specified areas, shall be dealt with under the respective Acts.

Power to make rules.

11. (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 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 so laid or the successive sessions as aforesaid, the House agrees in making any modification in the rule or the House agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, however, any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

Power to make regulations.

12. The Authority may, with the previous approval of the Government, make regulations not inconsistent with the provisions of this Act and rules made thereunder, for carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

Amritsar is an important tourist destination in the state which attracts more than 50% of the total tourist arrival. Amritsar and its surroundings have many important religious, cultural, heritage, and eco-tourism sites. However, the existing framework for some reason cannot focus adequately on the preservation, maintenance, ensuring cleanliness, provision and maintenance of essential services, safety & security of tourists and upkeep of these sites and the areas around these sites as provided in the Bill. Therefore, there is a requirement for setting up an authority which can ensure proper upkeep and maintenance of these heritage and cultural sites and the areas surrounding these sites as provided in the bill. The objective of the Amritsar Culture and Tourism Development Authority Bill, 2016 will not only ensure proper maintenance but will also cut short the process in implementing the required works. It will also help in removing the constraint of timely financial flow for the desired works.

SOHAN SINGH THANDAL,

Minister for Tourism & Cultural Affairs,
Punjab.

FINANCIAL MEMORANDUM

The Amritsar Culture and Tourism Development Authority Bill 2016, aims to provide for the preservation, maintenance, cleanliness, provision of supply of essential services like electricity, water supply, beautification and monument lighting, sanitation, proper maintenance of roads and disposal of solid waste in the vicinity and around the sites as provided in the Bill, with an objective for development and promotion of tourism in Amritsar which attract maximum of the total tourist footfall and also for preservation of culture in the state. The expenditure for the purpose of achieving the above objective has been proposed through levy of cess @ Rs. 1 per proof litre out of the additional license fee imposed under the Excise Policy of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sections 11 and 12 of the Amritsar Culture and Tourism Development Authority Bill, 2016, empowers to the State Government to make Rules and Regulations to carry out the purpose of this Act. The powers sought are necessary for the proper implementation of the provisions of the Act and are normal in nature.

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 14th September, 2016

SHASHI LAKHANPAL MISHRA,
Secretary.

N.B.— The above Bill was published in the *Punjab Government Gazette (Extraordinary)*, dated the 14th September, 2016 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).