

PUNJAB VIDHAN SABHA

Bill No. 21-PLA-2017

**THE PUNJAB INFRASTRUCTURE (DEVELOPMENT AND REGULATION)
AMENDMENT BILL, 2017**

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-eight Year of the Republic of India, as follows :—

1. (1) This Act may be called the Punjab Infrastructure (Development and Regulation) Amendment Act, 2017. 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 Infrastructure (Development and Regulation) Act, 2002 (hereinafter referred to as the principal Act), in section 18, in sub-section (2),— Amendment in section 18 of Punjab Act 8 of 2002.

(i) for the words and signs “Chairman, Co-Chairman, Vice-Chairman”, the words and signs “Chairman, Vice-Chairman” shall be substituted; and

(ii) clause (aa) shall be omitted.

3. In the principal Act, in section 19, for item (ii), the following item shall be substituted, namely :— Amendment in section 19 of Punjab Act 8 of 2002.

“(ii) any defect in the appointment of a person acting as a Chairman or Vice-Chairman or Member of the Board; or”.

4. In the principal Act, in section 20, sub-section (3) shall be omitted. Amendment in section 20 of Punjab Act 8 of 2002.

5. In the principal Act, in section 25, in sub-section (5), for the words “Development Fund”, the words “Consolidated Fund of the State” shall be substituted. Amendment in section 25 of Punjab Act 8 of 2002

Amendment in
section 27 of
Punjab Act 8
of 2002.

6. In the principal Act, in section 27, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The amount of fee charged and collected under this Act, shall be credited to the Consolidated Fund of the State out of which, a budgetary grant may then be provided to the Development Fund, within such period and of such amount, as may be considered necessary. Any other grant from the Central/State Government, local authorities and any of the authority shall also be credited to the Development Fund”.

STATEMENT OF OBJECTS AND REASONS

In respect of PIDB funds, Comptroller Audit General (CAG) in its report has mentioned that taking revenue of the autonomous bodies as a revenue of the State Government without any budgetary provisions defeats the principle of financial propriety. As in order to address the observations of CAG and improve the financial position of the State to help it leverage funds, it has been decided by the State Government that the entire receipt of Infrastructure Fee levied and collected by the different Departments be remitted to the Treasury in the Consolidated Fund of the State instead of Punjab Infrastructure Development Fund. The receipts so deposited may be remitted back as Grant in aid to the Punjab Infrastructure Development Board as per need through the State Budget to take care of its recurring liabilities and debt servicing.

In the present Government, presently, there is no such post of a Deputy Chief Minister. Accordingly, it would be imperative to delete the provisions of having Deputy Chief Minister, Punjab as Co-Chairman of the Board. This would require some amendment in the existing constitution of the members of the Board and consequential changes in the provisions of the Act.

In order to achieve the above purpose, the Punjab Infrastructure (Development and Regulation) Amendment Bill, 2017 is proposed for substituting the existing provisions of Section 20, 25 and 27 of Punjab Infrastructure (Development and Regulation) Act, 2002 with the amended provisions as contained in the Memorandum as also delete the provisions of having Deputy Chief Minister, Punjab as Co-Chairman of the Board in the Act.

MANPREET SINGH BADAL,
Finance Minister, Punjab.

FINANCIAL MEMORANDUM

In terms of the powers that vests with the State Government on the amendments through this Bill, it has been decided to remit the entire receipt of Infrastructure Fee levied and collected by the Departments of Excise and Taxation, Revenue and Power to the Treasury in the Consolidated Fund of the State and to provide a budgetary grant to the Punjab Infrastructure Development Fund, within such period and such amount as it may consider necessary. The remittance of receipt of ID Fee will create more revenue into the Consolidated Fund of the State which will improve the financial position of the State to help it leverage funds.

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 22nd June, 2017.

SHASHI LAKHANPAL MISHRA,
Secretary.

N.B.— The above Bill was published in the *Punjab Government Gazette (Extraordinary)*, dated the 22nd June, 2017 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).