

Rep. by Act 38 of 1978, S. 2 & Sch. 1

**THE PUNJAB NEW CAPITAL (PERIPHERY) CONTROL
(CHANDIGARH AMENDMENT) ACT, 1972**

No. 49 OF 1972

[3rd September, 1972]

An Act further to amend the Punjab New Capital (Periphery) Control Act, 1952 as in force in the Union territory of Chandigarh.

BE it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

Sho
title.

1. This Act may be called the Punjab New Capital (Periphery) Control (Chandigarh Amendment) Act, 1972.

Amend-
ment of
section 6.

2. In section 6 of the Punjab New Capital (Periphery) Control Act, 1952, as in force in the Union territory of Chandigarh (hereinafter referred to as the principal Act), for sub-section (4), the following sub-section shall be substituted, namely:—

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“(4) The Deputy Commissioner shall not refuse permission to the erection or re-erection of a building if such building is required for purposes subservient to agriculture:

Provided that where the Deputy Commissioner permits the erection or re-erection of a building under this sub-section, such building shall be erected or, as the case may be, re-erected only in accordance with such conditions as may be prescribed.”

Substi-
tution of
new sec-
tion for
section 12.

3. For section 12 of the principal Act, the following section shall be substituted, namely:—

Offences
and
penalties.

“12. (1) Any person who—

(a) erects or re-erects any building or makes or extends any excavation or lays out any means of access to a road in contravention of the provisions of section 5 or in contravention of any conditions imposed by an order under sub-section (2) of section 6 or section 7 or of any conditions prescribed under the proviso to sub-section (4) of section 6; or

Repealed

(b) uses any land in contravention of the provisions of sub-section (1) of section 11.

shall be punishable with fine which may extend to five hundred rupees and in the case of a continuing contravention, with a further fine which may extend to fifty rupees for every day after the date of first conviction during which he is proved to have persisted in the contravention.

(2) Without prejudice to the provisions of sub-section (1), the Deputy Commissioner may order any person who has committed a breach of the provisions of the said sub-section to restore to its original state or to bring in conformity with the conditions which have been violated, as the case may be, any building or land in respect of which a contravention such as is described in the said sub-section has been committed, and if such person fails to do so within six weeks of the order, may, after making such enquiry as he considers necessary and after giving such person an opportunity of being heard in the matter, himself take such measures as may appear to him to be necessary to give effect to the order and the cost of such measures shall be recoverable from such person as an arrear of land revenue."

4. In section 15 of the principal Act, to clause (c), the following **Amendment of section 15.**
Explanation shall be added, namely:—

Explanation.—For the purposes of this clause, the expression "other operations" does not include erection of superstructures over tube-wells;".

5. In section 16 of the principal Act, in sub-section (2), after clause (b), the following clause shall be inserted, namely:— **Amendment of section 16.**

"(bb) the conditions subject to which any building required for purposes subservient to agriculture may be erected or re-erected under sub-section (4) of section 6;".