

Rep. by Act... 38 of 1974, S. 2 + Sch I

THE PUNJAB MUNICIPAL (CHANDIGARH AMENDMENT) ACT, 1974

No. 59 OF 1974

[21st December, 1974]

An Act further to amend the Punjab Municipal Act, 1911, as in force in the Union territory of Chandigarh.

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

1. This Act may be called the Punjab Municipal (Chandigarh Amendment) Act, 1974.

Short title.

Punjab Act III of 1911. Punjab Act XXVII of 1952.

2. In section 188 of the Punjab Municipal Act, 1911, as applied to the Union territory of Chandigarh under section 7A of the Capital of Punjab (Development and Regulation) Act, 1952 (hereinafter referred to as the Punjab Municipal Act), for clause (d) the following clauses shall be substituted, namely:—

Amendment of section 188.

(t) render licences necessary for handcarts employed for transport or for hawking articles for sale and for persons using such handcarts,

(ta) specify the trade or trades for which handcarts may not be used,

(tb) specify the designs for handcarts used for any trade and different designs may be specified for handcarts used for different trades,

(tc) specify the maximum number of licences that may be issued for the use of handcarts for any trade or trades,

(td) impose restrictions as to the times during which handcarts may be used for carrying on any trade and the area of operation of such trade and also for the parking places for the handcarts,

(te) prescribe the fees payable for the issue of such licences and the conditions for the grant, renewal or revocation of such licences:

Provided that—

(i) no trade shall be specified under clause (ta) as a trade for which handcarts may not be used, unless the use of handcarts for carrying on such trade is likely to be harmful to the health, hygiene or sanitation of the general public or is otherwise against the interests of the general public;

(ii) in making bye-laws under clause (tc) or clause (td), regard shall be had to the volume of traffic, the nature of the roads and the space available for parking, the problems of sanitation and other relevant factors”.

Amend-  
ment  
of  
section  
199.

3. In section 199 of the Punjab Municipal Act,—

(a) in sub-section (1)—

(i) for the words “fifty rupees”, the words “two hundred rupees” shall be substituted;

(ii) for the words “five rupees”, the words “twenty rupees” shall be substituted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) Such bye-laws may also provide that if any person, convicted for the breach, or abetment of breach, of any bye-law made under clause (t) of section 188, is convicted and it is proved that such person was convicted of a like offence on not less than two previous occasions, then, the court, before which the third or subsequent conviction takes place, may order the confiscation of the handcart employed for transport or hawking articles for sale, as the case may be, in contravention of the provisions of any bye-law made under the said clause (t).”.