

EAST PUNJAB LOCAL AUTHORITIES (RESTRICTION OF FUNCTIONS) ACT, 1947,

1947 : East Pb. Act IX] LOCAL AUTHORITIES 117 (RESTRICTION OF FUNCTIONS) THE EAST PUNJAB LOCAL AUTHORITIES (RESTRICTION OF FUNCTIONS) ACT, 1947. Sections. 1. 2. 3. 4. 5. 6. 7. 8

9. TABLE OF CONTENTS. Short title, extent and commencement. Interpretation. Power to notify certain areas. Assumption of functions. Expenses to be paid by local authority. Power to direct local authorities to appoint refugees in vacancies in their services. Indemnity. Act to over-ride certain other enactments. Repeal. 1947 : East Pb. Act LOCAL AUTHORITIES (RESTRICTION OF FUNCTIONS) 119 ITHE EAST PUNJAB LOCAL AUTHORITIES (RES- TRITION OF FUNCTIONS) ACT, 1947. East Punjab Act No. IX of 1947. (Received the assent of His Excel'ency the Governor of East Punjab on the 4th December, 1947, and was first published in the East Punjab Government Gazette (Extraordinary), dated the 8th December, 1947.] 1 Year 1947 2 No. 3 Short title IX The Punjab Local Authorities (Restriction of Func- tions) Act, 1947 4 Whether repealed or otherwise affected by legislation Amended in part by the Adaptation of Laws Order, 1950 Amended by the Punjab Reorganisa- tion (Chandigarh) (Adaptation Of Laws on State and Concurrent Subjects) Order, 1968. It is hereby enacted as follows . 1. (1) This Act may be called the East Punjab Local Short title' extent and commence. Authorities (Restriction of Functions) Act, 1947. ment. (2) It extend, to the whole of 2[Union territory of Chandigarh]. (3) It shall come into force at once

2. In this Act unless there is anything repugnant in Interpretation. the subject or context— (a) (b) "Notified Area" means an area notified by the 3[Central Government] as an area in which there is an influx of refugees or in which such influx is anticipated ; and "Refugee" means a person domiciled or ordi- narily resident in the territories now comprised in the Dominion of Pakistan and who has left or been made to leave his place of business in the said territories on account of civil dis- turbances or the fear of such disturbances and who is for the time being resident in the 2[UniJD territory of Chandigarh]. For Statement of Objects and Reasons, see East Punjab Government Gazette, 1947, page 77 ; for proceedings in the Assembly, see East Punjab Legislative Assembly Debates, Volume I, 1947, page 212. 2 Substituted for the word "Punjab" by the Punjab Re organisation (Chandi- garh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968. 3 Substituted for the words "State Government" by ibid. LOCAL AUTHORITIES [1947 : East Pb. Act (RESTRICTION OF FUNCTIONS) 120 3. The 1[Central Government] may by notification in the Official Gazette declare that the whole or any such part Power to notify of the 2[State] as may be specified in the notification is a certain areas. notified area and may in the like manner add to, amend vary or rescind such notification

4. The 1[Central Government], if satisfied that a local authority (not being a Cantonment Board) having juris. Assumption of functions. diction in any notified area is incapable of performing or does not adequately perform, any or all of its functions, may suspend such branches or departments of the local authority as are entrusted with these functions, and shall appoint any person or persons either by name or designa. tion to discharge such function or functions. 5. 1[Central Government] may, as often as may be Expenses to be paid necessary, direct that the expenses of discharging such by the local authority. functions shall, within such time as may be fixed, be paid by the local authority and should the expenses be not so paid, the 1[Central Government] may make an order direct. Ing the person having the custody of the balance of the funds of the local authority to pay the expenses, or so much thereof as may from time to time be possible, from that balance, in priority to all other charges against the same. Power to direct 6. The 1[Central Government] may, subject to such local authorities to 3conditions as may be prescribed, direct any local authority appoint refugees in in in a notified area to appoint refugees to vacancies in posts their services• of officers or servants, other than menials and those paid Indemnity. out of contingencies that have occurred or may occur within the next two years

7. No suit, prosecution or other legal proceedings shall lie against the 1[Central Government] or against any person in respect of anything which is in good faith done or intended to be done under the provisions of this Act. Act to override 8. The provisions of this Act shall have effect not- certain other withstanding anything to the contrary contained in the enactments. Punjab District Boards Act (XX of

1883), the Punjab 1 Substituted for the words "State Government" by the Punjab Re organisa- tion (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) order' 2 Substituted for the word "Province" by the Adaptation Of Laws Order, 1950• a For conditions, see East Punjab Government Gazette (Extraordinary)' dated 12th January, 1948, page 128, Notification No. 1235-B and C47140S' Act XII LOCAL AUTHORITIES 121 1941 : East Pb. (RESTRICTION OF FUNCTIONS) t 1911 (111 of 1911), the small Towns (fco?f 1922) or any other enactment in force in ltvnion territory of Chandigarh]

9. The East Punjab Local Authorities (Restriction Repeal of ordi.of Functions) Ordinance, 1947, is hereby repealed. Substituted cor the words "Punjab" by the Punjab Reorganisation (Chandi- garb) of Laws on state and Concurrent Subjects) order, 1968.

