

PUNJAB STATE TUBE-WELL ACT, 1954

(954 : xxtl stAIT? rVN3AB STATE Act, T XBLE OF CONTENTS Sectione. 1. 2. 3

4. Short title, extent and commencement. Definitions. Application of the Act. Application of Act VIII of 1873 to State Tube-well. Scanned with OKEN Scanner 1954 : Pb. Act STATE TUBE-WELL 319 ITHE PUNJAB STATE TUBE4WELL ACT, 1954, PUNJAB ACT XXI OF 1954, [Received the assent of the Governor of Punjab on the 10th May, 1954 ; and first published in the Punjab Government Gazette (Extraordinary) of 15th May, 1954.1 1 Year 2 3 Short title No. 4 Whether affected by later legislation 1954 XXI The Punjab State Extended to the tefritories which, immedia- Tube-well Act, 1954 tely before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union by Punjab Act No. 5 of 1957.' Amended by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968. An Act to provide for the constructon, improvement and maintenance of State Tube-well Irrigation Works in Punjab. It is hereby enacted as follows .--- 1. (I) This Act may be called the Punjab State Short title, extent Tube-well Act, 1954. and commence. mente (2) It extends to such local areas in 31 Union Territory of Chandigarh] as the Government may from time to time by notification in the official Gazette direct. (3) It shall come into force on such date as the Government may by notification in the official Gazette direct. iForStatement of Objects and Reasons, see Punjab Government Gazette (Ex- traordinary), 1954, page 144. *For Statement of Objects and Reasons, see Punjab GoveJnment Gazette (Ex- traordinary), 1957, page 339. 'Substituted for the word"Punjab"by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968. Scanned with OKEN Scanner 320 (1954 STATI! Ttynv-wr;f.L Pb. Act Definitions 2. In (his Act, unless there be something repugnant in (hc subject or context tncans the j (Central Govern. (a) "Govctntncnt•• (h) "Prescribed" tneans prescribed by rules made under this Act; (c) "State Tube-well" means a tube-well hitherto constructed, tnain(aincd or controlled Or Which may bc hcreafter constructed, maintained or controlled by the Government, and includes all mechanical and electrical appliances, tools and structures appertaining to It and necessary for the abstraction of water from it , (d) "Tube-well" means any device for lifting water from below the surface of the ground b) mecha- nical means operated otherwise than by human or animal power (e) "Underground Water" means water under the surface of earth regardless of the geologic structure in which it is standing or moving, but it does not include water flowing in artificial underground streams. Application of the 3. The Government may by notification in the Act. official Gazette, declare that any tract of land is a tract to which this Act will apply with effect from a day to be named in the notification, not being earlier than three months from the date thereof. Application of 4. In respect of any State Tube-well the provisions Act of 1873 to state Tube- of the Northern India Conal and Drainage Act, 1873 wells. (VIII of 1873) (hereinafter referred to as the said Act) shall be deemed to apply in like manner as if such State Tube-wells were a canal within the meaning of the said Act, except the provisions of section I, clause (4) of section 3, section 5, and Parts VI and VIII of the said Act : 1Substituted for the words "State Government" by the Punjab ReorganisatiOn (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968' Scanned with OKEN Scannc 1954 : Ph. Act XXII STATE TUBE-WELL 321 provided (hat for the purpose or such application the said Act shall be subject to (he Collowing modifications:— (1) In section 6 or (he said Act for (hc words "so natued" the words 'named in a no(ification under section 3 of' (hc Punjab State Tube-well Act, 1954" shall be dccmcd to bc substituted, and for (he words "such application or use of the said wa(cr" (hc words "(he application or use ofunderground water for the purpose of a State Tube-well" shall be deemed to be sub- siituted. (2) In section 8 of (he said Act clauses (a) and (c) and the reference thereto in clause (i), shall be deemed to be omitted, in clause (g) for the words "through any natural channel which has been used for purposes of irrigation" the words "in any well which has been used" shall be deemed to be substituted and in the last para- graph for (he words and brackets "clause (a), (b) and (c)" (he word and brackets "clause (b)" shall be deemed to be substituted. (3) In sectiOn 32 of the said Act :— (i) in sub-clause (1) of clause (a) the words "and with the previous sanction of the Central Government" shall be deemed to be omitted. (ii) clause (d) shall be deemed (o be omitted. (4) In section 68 of the said Act, for words "Such Officer shall thereupon give notice" the words "On receipt of such application or when in the opinion of the Divisional Cahal Officer any such difference is likely to arise he shall give notice" shall be deemed to be substituted. (5) In

clause (2) of section 70 of the said Act the words except by the construction of a tube-well" shall be deemed to be inserted bee and clause (6) to fore the word "interferes" (9) of the said section shall be deemed to be omitted- Scanned with OKEN Scanner

