

THE PUNJAB STATE TUBE-WELL ACT, 1954.

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THE PUNJAB STATE TUBE-WELL 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.]

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Year	No.	Short title	Whether affected by later legislation
1954	XXI	The Punjab State Tube-well Act, 1954	<p>Extended to the territories which, immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union by Punjab Act No. 5 of 1957.¹</p> <p>Amended by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.</p>

An Act to provide for the construction, improvement and maintenance of State Tube-well Irrigation Works in Punjab.

It is hereby enacted as follows :—

1. (1) This Act may be called the Punjab State Tube-well Act, 1954. Short title, extent and commencement.

(2) It extends to such local areas in²[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.

¹For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1954, page 144.

²For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1957, page 339.

³Substituted for the word "Punjab" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

Definitions.

2. In this Act, unless there be something repugnant in the subject or context :—

- (a) "Government" means the ¹[Central Government];
- (b) "Prescribed" means prescribed by rules made under this Act;
- (c) "State Tube-well" means a tube-well hitherto constructed, maintained or controlled or which may be hereafter 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 by mechanical 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 Act.

3. The Government may by notification in the 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 Act VIII of 1873 to State Tube-wells.

4. In respect of any State Tube-well the provisions of the Northern India Canal and Drainage Act, 1873 (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 1, 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.

Provided that for the purpose of such application the said Act shall be subject to the following modifications:—

- (1) In section 6 of the said Act for the words "so named" the words "named in a notification under section 3 of the Punjab State Tube-well Act, 1954" shall be deemed to be substituted, and for the words "such application or use of the said water" the words "the application or use of underground water for the purpose of a State Tube-well" shall be deemed to be substituted.
- (2) In section 8 of the 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 paragraph for the words and brackets "clause (a), (b) and (c)" the 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 to 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 Canal 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 before the word "interferes", and clause (6) to (9) of the said section shall be deemed to be omitted.