

PART I

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB  
NOTIFICATION

The 9th April, 2013

No. 27-Leg./2013.-The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 5th Day of April, 2013, is hereby published for general information:-

THE PUNJAB STATE CANCER AND DRUG ADDICTION  
TREATMENT INFRASTRUCTURE FUND ACT, 2013  
(Punjab Act No. 27 of 2013)

AN  
ACT

*to constitute a Fund for supporting the creation of infrastructure for cancer and drug addiction treatment and for the matters connected therewith and incidental thereto.*

Be it enacted by the Legislature of the State of Punjab in the Sixty-fourth Year of the Republic of India as follows:-

1. (1) This Act may be called the Punjab State Cancer and Drug Addiction Treatment Infrastructure Fund Act, 2013. Short title and commencement.
- (2) It shall come into force at once.
2. In this Act, unless the context otherwise requires,- Definitions.
  - (a) "Act" means the Punjab State Cancer and Drug Addiction Treatment Infrastructure Fund Act;
  - (b) "Board" means the Punjab State Cancer and Drug Addiction Treatment Infrastructure Fund Board constituted under section 3;
  - (c) "Fund" means the Punjab State Cancer and Drug Addiction Treatment Infrastructure Fund constituted under section 4;
  - (d) "Government" means the Government of Punjab in the Department of Health;
  - (e) "prescribed" means prescribed by rules made under the Act; and
  - (f) "section" means a section of the Act.

Constitution of  
the Board.

3. There shall be a Board for the purposes of carrying out the provisions of the Act, to be called the Punjab State Cancer and Drug Addiction Treatment Infrastructure Board, comprising the following :-

- |   |    |                     |
|---|----|---------------------|
| (i) Chief Minister, Punjab;                                     | .. | Chairman            |
| (ii) Finance Minister, Punjab;                                  | .. | Member              |
| (iii) Medical Education and Research<br>Minister, Punjab;       | .. | Member              |
| (iv) Health Minister, Punjab;                                   | .. | Member              |
| (v) Chief Secretary, Punjab;                                    | .. | Member              |
| (vi) Principal Secretary, Health and Family<br>Welfare, Punjab; | .. | Member<br>Secretary |
| (vii) Principal Secretary, Finance, Punjab;                     | .. | Member              |
| (viii) Principal Secretary to Chief Minister,<br>Punjab; and    | .. | Member              |
| (ix) Principal Secretary Medical Education<br>and Research.     | .. | Member              |

Constitution of  
Fund.

4. There shall be constituted a Fund to be called the Punjab State Cancer and Drug Addiction Treatment Infrastructure Fund, which shall vest in the Board constituted under section 3.

Purposes for  
which the Fund  
may be used.

5. The Fund shall be used for the following purposes:-

- (a) to create and up-grade infrastructure including buildings, machinery and equipments for treatment and rehabilitation of cancer patients and for de-addiction of drug addicts;
- (b) to create awareness about and prevention, detection and treatment of cancer through any means;
- (c) to create awareness about mal-effects of drugs and drug addiction and prevention thereof and opportunities of treatment of drug addiction; and
- (d) for any other object for furtherance of the welfare of patients afflicted with cancer and drug addiction in the State as prescribed by the Board.

6. The following shall contribute to the Fund, namely:-
- Contribution to the Fund.
- (a) a percentage of the amount realised from the bidders by way of auction or sale of immovable properties including Optimum Utilization of Vacant Government Lands (OUVGL) properties by the Government, semi-Government agencies, Urban Local Bodies, Improvement Trusts and Panchayati Raj Institutions, as prescribed in each case;
  - (b) a percentage of the revenues realised by the societies and trusts, set up by the departments of the State Government excluding the grants-in-aid received by such societies and trusts from the State or Central Government, as prescribed in each case;
  - (c) grants-in-aid or contributions received from Punjab Government or the State PSUs/Boards/Corporations/Apex Co-operative, Urban Local Bodies, Improvement Trusts and Panchayati Raj Institutions at their option, as prescribed in each case;
  - (d) a percentage of <sup>(Est & Project)</sup> Funds collected through the infrastructural development projects of the projects having a worth of more than Rupees fifty crores, such as the construction of the roads, bridges and flyovers taken up by the agencies like Public Works Department, Mandi Board, Punjab Infrastructure Development Board and the Punjab Roads and Bridges Development Board or through the State Funding;
  - (e) surcharge on any tax or cess, as may be prescribed; and
  - (f) such other contributions as may be prescribed from time to time.
7. The Fund shall be administered by and in the name of the Board or as prescribed.
- Administration of the Fund.
8. The accounts of the Fund constituted under section 4 shall be audited by the Examiner Local Funds Accounts, Punjab.
- Audit.
9. No Civil Court shall have any jurisdiction to entertain or decide any question relating to matters arising under this Act or the rules made there under.
- Bar of jurisdiction.

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Protection of  
action taken in  
good faith.

10. (1) No suit, prosecution or other legal proceedings shall lie against any person in respect of anything which is in good faith done or intended to be done in pursuance of this Act or the rules made there under.

(2) No suit or other legal proceedings shall lie against the Government for any damage caused by anything which is in good faith done or intended to be done in pursuance of this Act or the rules made there under.

Power to make  
rules.

11. The State Government may, by notification, make rules for carrying out the purposes of the Act.

Power to  
remove  
difficulties.

12. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make such provisions including any adaption or modification of any provisions of this Act, as appears to the Government to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

Overriding  
effect.

13. Save as otherwise provided in this Act, the provisions of this Act or the rules made thereunder shall have effect, notwithstanding anything inconsistent therewith contained in the Punjab Municipal Corporation Act, 1976, the Punjab Municipal Act, 1911, the Punjab Town Improvement Act, 1922, the Punjab Panchayati Raj Act, 1994, the Punjab Regional and Town Planning and Development Act, 1995, the Punjab Excise Act, 1914, the Punjab Agricultural Produce Markets Act, 1961 and the Punjab Apartment and Property Regulation Act, 1995 or any other law for the time being in force.

H.P.S. MAHAL,  
Secretary to Government of Punjab,  
Department of Legal and Legislative Affairs.