

PUNJAB VIDHAN SABHA

Bill No. 36-PLA-2017

THE PUNJAB INFRASTRUCTURE (DEVELOPMENT AND  
REGULATION) SECOND AMENDMENT BILL, 2017

(Bill as passed by the Punjab Vidhan Sabha)

The following Bill was passed by the Punjab Vidhan Sabha :—

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BILL

*further to amend the Punjab Infrastructure (Development and Regulation) Act, 2002.*

BE it enacted by the Legislature of the State of Punjab in the Sixty-eighth Year of the Republic of India as follows :—

1. (1) This Act may be called the Punjab Infrastructure (Development and Regulation) Second Amendment Act, 2017.

Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

2. In the Punjab Infrastructure (Development and Regulation) Act, 2002 (hereinafter referred to as the principal Act), in section 6, after sub-section (1), the following sub-sections shall be inserted, namely :—

Amendment in section 6 of Punjab Act 8 of 2002.

“(1-A) Where there is a provision, for appointment of sole Arbitrator by the Government/Government agencies, in an agreement entered into between two or more contractors, or contractor/contractors on one side and a Department, Public Sector Undertaking, Board, Corporation, Society or Agency under the control of the State Government on the other side, regarding the creation, development, maintenance and operation of infrastructure related projects and for matters connected therewith or incidental thereto of the State Government, in such a case, the Chairperson or any member so nominated by the Chairperson shall be deemed to be the sole Arbitrator, under the Arbitration and Conciliation Act, 1996 (Act 26 of 1996) in disputes where the claimed amount is five crore rupees and above.

(1-B) Where there is a provision, for appointment of two or more Arbitrators, one of them to be appointed by the

Government/Government agencies, in an agreement entered into between two or more contractors, or a contractor/contractors on one side and a Department, Public Sector Undertaking, Board, Corporation, Society or Agency under the control of the State Government on the other side, regarding the creation, development, maintenance and operation of infrastructure related projects and for matters connected therewith or incidental thereto of the State Government, in such a case, the Chairperson or any member so nominated by the Chairperson shall be deemed to be the Arbitrator required to be appointed by the Government/Government agencies under the Arbitration and Conciliation Act, 1996 (Act 26 of 1996), in disputes where the claimed amount is five crore rupees and above.”.

Amendment in section 14 of Punjab Act 14 of 2002.

3. In the principal Act, in section 14, in sub-section (I),—
- (i) at the end of clause (v), the word “and” shall be omitted; and
  - (ii) in clause (vi), for the sign “:”, the sign and word “; and” shall be substituted and thereafter, the following clause shall be added before the proviso, namely :—
    - “(vii) to adjudicate upon, as an Arbitrator, the disputes *inter se* between two or more contractors, or a contractor/contractors on one side and a Department, Public Sector Undertaking, Board, Corporation, Society or Agency under the control of the State Government on the other side, regarding the creation, development, maintenance and operation of infrastructure related projects and for matters connected therewith or incidental thereto of the State Government under the Arbitration and Conciliation Act, 1996 (Act 26 of 1996), where the claimed amount is five crore rupees and above :”.

CHANDIGARH :  
The 8th December, 2017.

SHASHI LAKHANPAL MISHRA,  
Secretary.