

## CHAPTER XII

### MISCELLANEOUS

Annual and  
other  
reports.

170. (1) The Authority shall submit, in respect of each year, an annual report to the State Government, in such form and before such date in the next succeeding year as the State Government may determine.

(2) The annual report, after it is approved by the State Government, shall be laid before each House of the State Legislature, as far as possible before the expiry of the year next succeeding the year to which it relates.

Other  
statements  
and returns.

171. The Authority shall also submit to the State Government such statistics, returns, particulars, statements, documents or papers in regard to any proposal, plan or project undertaken under this Act or relating to any matter or proceedings connected with the working of the Authority at such time and in such form and manner as may be determined by the State Government, or as the State Government may from time to time direct.

Power of  
entry.

172. Without prejudice to any provisions regarding entry elsewhere in any other provisions of this Act, it shall be lawful for any person authorised by the Authority in this behalf to enter into, or upon any building or land for the purposes of this Act, with or without assistants or workmen, in order to make any inquiry, inspection, census, measurement, valuation or survey or to execute any work which is authorised by or under this Act or which it is necessary to execute for any of the purposes of this Act or of any notice, rule, regulation, order, proposal, plan or project, or any instrument made thereunder :

Provided that no such entry shall be made between sunset and sunrise.

173. No person shall commence any suit against the Authority or against any member of the Authority or of any Board or of any *Panchayat* or any officer or servant of the Authority or *Panchayat* or any person acting under the orders of the Authority or Board, or *Panchayat* for anything done or purporting to have been done in pursuance of this Act (including any contract thereunder), without giving to the Authority, member, officer or servant or person two months previous notice in writing of the intended suit and of the cause thereof, nor after six months from the date of the act complained of.

Notice of suit  
against  
Authority, etc.

And in the case of any such suit for damages, if tender of sufficient amends shall have been made before the action is brought, the plaintiff shall not recover more than the amount so tendered and shall pay all costs incurred by the defendant after such tender.

174. All members of the Authority or any Board or any *Panchayat* and all employees of the Authority or *Panchayat* shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act to be public servants within the meaning of section 21 of the Indian Penal Code.

Members of  
Authority or  
Board or  
*Panchayat*,  
employees of  
Authority or  
*Panchayat* to  
be public  
servants.

LV of  
160.

175. No suit, prosecution or other legal proceeding shall lie against any members of the Authority or Board or *Panchayat* or any employees of the Authority or *Panchayat* for anything which is in good faith done or intended to be done under this Act, or any rule, regulation, order, proposal, plan or project or any instrument made under this Act.

Protection of  
action taken in  
good faith.

176. Unless otherwise expressly provided, no court shall take cognisance of any offence punishable under this Act except on the complaint of, or upon information received from, the Authority or some person authorised by the Authority by general or special order in this behalf.

Power of  
prosecution.

177. Save as otherwise expressly provided in this Act, no civil court shall have jurisdiction in respect of any matter which the Authority or the Tribunal is empowered by or under this Act, to determine; and no injunction or stay shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred or duty imposed by or under this Act.

Bar of  
Jurisdiction.

178. (1) The Chief Executive Officer or any or the officers who may be authorised by him in this behalf by general or special order may, either before or after the institution of the proceedings, compound any offence punishable under this Act.

Compound-  
ing  
offences.

(2) When an offence has been compounded, the offender, if in custody, shall be discharged; and no further proceedings shall be taken against him in respect of the offence compounded.

179. All contracts, agreements and other instruments of whatever nature subsisting or having effect immediately before the date of constitution of the authority and to which an existing Board was a party shall be of full force and effect against or in favour of the Authority and may be enforced and acted upon fully and effectively as if instead of the existing Boards, the Authority had been a party thereto or as if they had been entered into or issued in favour of the existing Board for the purposes of the Authority.

Authority  
to enforce  
certain  
contracts or  
agreements.

Recovery of  
sums due to  
existing Board  
or Authority  
as arrears of  
land revenue.

180. Notwithstanding anything contained in this Act, all sums payable to any existing Board immediately before the appointed date or to the Authority by any person or recoverable by it by or under the provisions of this Act and all charges and expenses incurred in connection therewith shall, without prejudice to any other mode of recovery, or otherwise provided by or under this Act, be recoverable as arrears of land revenue on the application of the Authority.

Powers to  
delegate.

181. (1) The Authority may, by general or special order, delegate any power exercisable by it or any function to be discharged or any duty to be performed by it by or under this Act to any of its officers <sup>1</sup>[or to any Board or to any officers of the Board] on such terms and conditions as may be specified in such order.

<sup>2</sup>[(2) The Authority may, by general or special order, delegate any power exercisable by a Board by or under this Act to any of its officer or to any officers of the Board on such terms and conditions as may be specified in such order.

(3) Notwithstanding anything contained in sub-section (1) or (2), the State Government may, by order in writing, direct the Authority to delegate,—

(i) such of its powers and functions conferred or imposed on it by or under this Act to the Board or such other authority or any officer of the Authority or of the Board ; or

(ii) such of the powers and functions conferred or imposed on the Board by or under this Act to such other authority or any officer of the authority or of the Board,

as may be specified in the order, and it shall be duty of the Authority to follow and act upon such order.]

Penalty for  
obstruction,  
etc.

182. If any person—

(a) obstructs, or molests any person with whom the Authority has entered into a contract, in the performance or execution by such person of his duty or of anything which he is empowered or required to do under this Act, or

(b) removes any mark set up for the purpose of indicating any level or direction necessary to the execution of works authorised under this Act,

he shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or withboth.

Removal of  
difficulty.

183. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion arises, by order do anything which appears to it to be necessary for the purpose of removing the difficulty.