

**Andhra Pradesh Urban Areas (Development) (Amendment)
Act, 1983**

8 of 1983

[08 April 1983]

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PREAMBLE

An Act further to amend the Andhra Pradesh Urban Areas (Development) Act, 1975.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Thirty-fourth year of the Republic of India as follows :-

* Received the Assent of the Govern or on the 7th April, 1983. For Statement of Objects and Reasons, please see the Andhra Pradesh Gazette, Extraordinary, dated the 14th March, 1983, Part IV-A, Page 45.

1. Short title and commencement :-

(1) This Act may be called the Andhra Pradesh Urban Areas (Development) (Amendment) Act, 1983.

(2) It shall be deemed to have come into force on the 30th January, 1983.

2. Amendment of section 3 :-

(1) In the Andhra Pradesh Urban Areas(Development) Act, 1975(Act 1 of 1915) (hereinafter referred to as the principal Act), in section 3,-

(i) in sub-section (3), clause (b) shall be omitted;

(ii) sub-section (4) and (4-A) shall be omitted;

(iii) in sub-section (5), for the words "including the Chairman", the words "other than the Chairman", shall be substituted;

(iv) in sub-section (6), the words "the Vice-Chairman" shall be omitted;

(v) sub-section (10) shall be omitted.

(2) (a) Notwithstanding anything in the principal Act, with effect on and from the commencement of this Act all the members of all Urban Development Authorities, including their Chairman and Vice-Chairman who are holding offices at such commencement shall cease to hold their offices as such; and the Government may appoint a person to each such Authority to manage the affairs thereof until the Authority is reconstituted in accordance with the provisions of sub-section (3) of section 3 of the principal Act, as amended, by this Act.

(b) The provisions of sub-section (2) of section 38 shall apply to the person appointed under clause (a).

3. Insertion of new section 3-A :-

After section 3 of the principal Act, the following section shall be inserted, namely:-

3-A "Appointment of a Chairman.--(1) The Government may appoint a Chairman to the Authority. The Chairman shall be the Chief Executive Officer of the Authority and he shall be responsible for implementing the resolutions of the Authority or any committee thereof. The Chairman shall also exercise such powers and perform such functions as may be entrusted to him by the Government. The staff borne on the establishment of the Authority shall be under the administrative control and supervision of the Chairman.

(2) The Government shall pay in the first instance out of the Consolidated Fund of the State, the salary, allowances, leave allowances, pension and contributions, if any, towards the provident fund and provident-cum-pension fund of the Chairman, appointed by them for the Authority, and it shall be subsequently reimbursed from the funds of the Authority, in such manner as may be prescribed.

(3) The Government shall have power to make rules to regulate the classification, methods of recruitment, conditions of service, pay and allowances and discipline and conduct of the Chairman."

4. Amendment of section 36 :-

In section 36 of the principal Act, in sub-section (2), for the words "and the Vice-Chairman of the Authority shall be deemed to be the Executive Authority", the words "and he shall also be deemed to be the Executive Authority" shall be substituted.

5. Substitution of new section for section 37 :-

For section 37 of the principal Act, the following section shall be substituted, namely :-

37. Replacement of members.--If in the opinion of the Government any member other than the Chairman is found guilty of any misconduct in exercising or purporting to exercise the right

conferred or performing or purporting to perform the functions imposed by or under this Act, the Government may by notification, and with effect from a date to be specified therein, replace such member and accordingly with effect from the said date the member shall forthwith be deemed to have vacated his office as such:

Provided that the Government shall, when they propose to take action under this section, give the person concerned, and opportunity of making representation on the action proposed and the notification issued shall contain a statement of the reasons for the action taken.

6. Amendment of Section 38 :-

In Section 38 of the principal Act,-

(i) in sub-section (1), for the word "Vice-Chairman" the word "Chairman" shall be substituted;

(ii) in sub-section (2), the words "and Vice-Chairman" shall be omitted.

7. Amendment of section 42 :-

In section 42 of the principal Act, for the word "Vice-Chairman" wherever it occurs, the word "Chairman" shall be substituted.

8. Amendment of section 58 :-

In section 58 of the principal Act, in sub-section (2), in clause (a), the words "and the Vice-Chairman" shall be omitted.

9. Repeal of Ordinance 2 of 1983 :-

The Andhra Pradesh Urban Areas (Development) (Amendment) Ordinance, 1983 is hereby repealed.