
**ANDHRA PRADESH URBAN AREAS (DEVELOPMENT)
AMENDMENT ACT, 1996**

12 of 1996

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In Government D.O. Letter No.27889/12/95,M.A., dated 18-9-1995 the Chairman and members of the Urban Development Authorities in the State, appointed by the then Government, have been requested to resign, in view of the change of Government. Some Chairman and members of Urban Development Authorities in the State, have resigned and some others have not yet resigned. The present Government should have freedom in appointment of a Chairman and non-official Members of their choice to the Urban Development Authority in the State so that the policies and programmes of the Government can be implemented effectively and efficiently at the field level. As where is no provision in the Andhra Pradesh Urban Areas (Development) Act, 1975, empowering the Government to remove the Chairman and members who have not yet resigned, Governmnet have decided to amend sub-section (5) of Section 3 of the said Act suitably for the purpose and to reconstitute the Urban Development Authorities in the State according to the provisions of the said Act. As the Legislative Assembly of the State was not then in session, and as it has been decided to give effect to the above decision immediately,

the Andhra Pradesh Urban Areas (Development) (Amendment) Ordinance, 1995 (A.P. Ordinance 16 of 1995) was promulgated by the Governor on the 13th November, 1995. The following Act of the Andhra Pradesh legislative Assembly received the assent of the Governor on the 26th August, 1996 and the said assent is hereby first published on the 26th August, 1996 in the Andhra Pradesh Gazette for general information. AN ACT FURTHER TO AMEND THE ANDHRA PRADESH URBAN AREAS (DEVELOPMENT) ACT, 1975 Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in Forty Seventh year of the Republic of India as follows:-

1. Short title and commencement :-

(1) This Act may be called the Andhra Pradesh Urban Areas (Development) (Amendment) Act, 1996.

(2) It shall be deemed to have come into force with effect from the 13th November, 1995.

2. Amendment of Section 3 :-

Carried out in the principal Act.

3. Cessation of office of Chairman and Members, etc. :-

(1) Notwithstanding anything contained in the principal Act and the rules, order, bye-laws or regulations made thereunder, the Chairman and every member of the Authority other than ex-officio members holding office before the commencement of this Act shall cease to hold such office forthwith.

(2) On such cessation, it shall be competent for the Government to reconstitute the Authority in accordance with the provisions of the principal Act.

4. Act to override other laws and bar of jurisdiction of Civil Courts :-

The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force and accordingly,

(a) no suit or other proceeding shall be instituted, maintained or continued in any court for the continuance of any non-official Chairman, or as the case may be, a non-official member who ceased to hold office under this Act;

(b) no court shall enforce any decree or order directing the

continuance of such Chairman or the members; and

(c) all proceedings pending in any court claiming such continuance shall abate.

5. Power to remove difficulties :-

(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may make such orders not inconsistent with the provisions of this Act as appear to them to be necessary or expedient for the purpose of removing the difficulty.

(2) Every order made under this section shall be laid before the Legislative Assembly of the State, as soon as may be, but in any case during the next session of the Legislative Assembly following the date of making such order.

6. Repeal of Ordinance 16 of 1996 and Ordinance 11 of 1996 :-

The Andhra Pradesh Urban Areas (Development) (Amendment) Ordinance, 1995 and the Andhra Pradesh Urban Areas (Development) (Third Amendment) Ordinance, 1996 are hereby repealed.