



The Uttar Pradesh Urban Development Laws (Amendment) Act, 1976

Act 47 of 1976

Keyword(s):

Urban Development, Managing Director, Housing or Improvement Scheme, Housing Commissioner

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

19

L.A.
15/76-47

**THE UTTAR PRADESH URBAN DEVELOPMENT LAWS
(AMENDMENT) BILL, 1976**

(U. P. ACT NO. 47 OF 1976)

**[Authoritative English Text of the Uttar Pradesh Nagar Vikas Vidhi (Sanshodhan) Adhiniyam, 1976]*

AN
ACT

further to amend the Uttar Pradesh Avas Evam Vikas Parishad Adhiniyam, 1965, and the Uttar Pradesh Urban Planning and Development Act, 1973.

IT IS HEREBY enacted in the Twenty-seventh Year of the Republic of India as follows :—

1. This Act may be called the Uttar Pradesh Urban Development Laws (Amendment) Act, 1976.

Short title.

2. In section 3 of the Uttar Pradesh Avas Evam Vikas Parishad Adhiniyam, 1965, hereinafter referred to as the principal Act, in sub-section (5),—

Amendment of section 3 of U.P. Act 1 of 1966.

(a) for clause (f), the following clause shall be substituted, namely :—

“(f) the Managing Director, Uttar Pradesh Jal Nigam, Lucknow, *ex officio* ;” ;

(b) after clause (f), the following clause shall be inserted, namely :—

“(ff) the Director, Central Building Research Institute, Roorkee, *ex officio* ;”.

3. In section 8 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely :—

Amendment of section 8.

“(1) Subject to such control and restrictions as may from time to time be imposed by the State Government, by special or general orders, the Board may appoint such officers and servants as it considers necessary for the efficient performance of its functions.”

**(For Statement of Objects and Reasons, please see Uttar Pradesh Gazette Extraordinary, dated November 11, 1976).*

(Passed in Hindi by the Uttar Pradesh Legislative Assembly on November 4, 1976 and by the Uttar Pradesh Legislative Council on November 8, 1976).

(Received the assent of the Governor on November 20, 1976 under Article 200 of the Constitution of India and was published in Part I (a) of the Legislative Supplement of the Uttar Pradesh Gazette Extraordinary, dated November 22, 1976).

Amendment of section 35.

4. In section 35 of the principal Act—

(a) in the marginal heading, for the words "Malin Basti Sudhar Aur Nipatan Yojna" the words "a scheme" shall be *substituted*;

(b) in sub-section (1), for the words "Malin Basti Sudhar Aur Nipatan Yojna (Slum Improvement and Clearance Scheme)", the words "housing or improvement scheme" shall be *substituted*.

Amendment of section 63.

5. In section 63 of the principal Act, for sub-section (1), the following sub-section shall be *substituted*, namely:—

"(1) (a) The Housing Commissioner shall lay before the Board, at a special meeting to be held before the commencement of a financial year, a budget of the Board for that year.

(b) Every such budget shall be prepared in such form as may be prescribed and shall make provision for—

(i) the housing and improvement schemes which the Board proposes to execute whether in part or whole during that year;

(ii) the due fulfilment of all the liabilities of the Board; and

(iii) the efficient administration of this Act; and shall contain a statement showing the estimated receipts and expenditures on capital and revenue accounts for that year, and such other particulars as may be prescribed.

(c) The Board shall after considering the budget sanction it with or without modifications, and submit the same to the State Government for approval.

(d) The State Government may either approve the budget as sanctioned by the Board, or return it to the Board for such modifications as the State Government may direct.

(e) Where a budget is so returned the Board shall forthwith make such modifications and submit the budget as so modified to the State Government, which may then approve it.

(f) The Housing Commissioner may, at any time during the financial year for which a budget has been approved by the State Government, lay before the Board a supplementary budget and the foregoing provisions of this sub-section shall *mutatis mutandis* apply to such supplementary budget."

Amendment of section 59 of President's Act 11 of 1973 as re-enacted by U.P. Act 30 of 1974.

6. In section 59 of the Uttar Pradesh Urban Planning and Development Act, 1973, as re-enacted by the Uttar Pradesh President's Acts (Re-enactment with Modifications) Act, 1974,—

(a) in sub-section (1), in clause (a),—

(i) for the brackets and words "(except in relation to those housing and improvement schemes which have been notified under section 32 of the Uttar Pradesh Avas Evam Vikas Parishad Adhiniyam, 1965, before the declaration of the area comprised therein as development area, hereinafter in this section referred to as continuing Avas Parishad Schemes)" the following shall be *substituted* and be deemed always to have been *substituted*, namely:—

"(except in relation to those housing or improvement schemes which have either been notified under section 32 of Uttar Pradesh Avas Evam Vikas Parishad Adhiniyam, 1965 before the declaration of the area comprised therein as development area or which having been notified under section 28 of the said Adhiniyam before the said declarations are thereafter approved by the State Government for continuance under the said Adhiniyam or which are initiated after such declaration with the approval of the State Government, hereinafter in this section referred to as Special Avas Parishad Schemes)";

(ii) for the words "and for the purpose of continuance of proceedings under the Uttar Pradesh (Regulation of Building Operations) Act, 1958, the powers of the prescribed authority and the controlling authority under that Act shall vest respectively in the Vice-Chairman and the Chairman" the following words shall be substituted and be deemed always to have been substituted, namely—

"and the powers, for doing anything which could, but for such suspension of the Uttar Pradesh (Regulation of Building Operations) Act, 1958, be done by the prescribed authority and controlling authority and which can, after such suspension be done by virtue of the application of section 6 of the Uttar Pradesh General Clauses Act, 1904, shall vest in the Vice-Chairman and the Chairman respectively";

(b) in sub-section (13), for the words "continuing Avas Parishad Schemes" the words "Special Avas Parishad Schemes" shall be substituted.