

UP Avas evam Vikas Parishad (Contitution of Avas Samitis) Rules, 1967

[Vide Noti. No. O-305-H/XXXVII-12-HB65, dated December 4, 1967,

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In exercise of the powers contained in sub-section (1) and (3) of Section 10 read with clauses (d) and (e) of sub-section (2) of section 94 of U.P. Avas Evam Vikas Parishad Adhiniyam, 1965 (U.P. Act. No. 1 of 1966) Governor make the following rules relating to the composition of Avas Samitis and matters on which it shall be consulted by the Board;

1. Short title and commencement.- (1) These rules may be called the Uttar Pradesh Avas Evam Vikas Parishad (Constitution of Avas Samitis) Rules, 1967.

(2) They shall come into force with effect from the date of their publication in the *Gazette*.

2. Definitions.- In these rules unless the context otherwise requires,-

(1) "Act" means the Uttar Pradesh Avas Evam Vikas Parishad Adhiniyam, 1965.

(2) "Samiti" means an Avas Samiti consitituted for a unit under Section 10 of the Act.

3. Constitution of a Samiti.- An Avas Samiti shall consist of a Chairman appointed or nominated *ex-officio* under Section 10 (2) of the Act and the following members to be appointed or nominated by the State Government:

(a) Three nonofficial members to be nominated by the State Government.

(b) Chief Executive Officer of the Local Authority having jurisdiction in the area of the unit-*ex-officio*.

(c) Municipal Engineer of the local authority-*ex officio*.

(d) A nominee of the Board.

4. Disqualification for being a member of a Samiti.- A person shall be disqualified for being chosen as and for being a member of a Samiti if he is or becomes subject to any of the disqualifications mentioned in Section 4 of the Act.

5. Term of office of Chairman and members.- (1) The term of office of the first non-official member appointed under clause (1) of Rule 3, shall commence from the date on which the constitution of a Samiti for a unit is notified in the *Gazette*. He shall hold office for three years unless his term is determined earlier by the State Government by notification in the *Gazette*.

(2) The term of the member or officer nominated by the Board under clause (3) of Rule (3) shall stand determined when he ceases to hold his office in the Board.

(3) The term of office of the Chairman of a Samiti shall stand determined when he ceases to hold the office of-

(a) Nagar Pramukh of a Nagar Mahapalika in the case of a city:

(b) President of Municipal Board, in the case of a municipal: and

(c) President or Chairman of a local authority, as the case may be, appointed by the State Government under clause (c) of sub-section (2) of Section 10, in the case of any other area.

(4) A non-official member may at any time by writing under his own hand addressed to the State Government resign his office and on such resignation being accepted he shall be deemed to have vacated the office.

6. Filling o casual vacancies.- (1) Whenever there is for any reasons temporary vacancy in the office of a non-official member of a Samitis the State Government or the Board, as the case may be, shall appoint a person to fill that vacancy.

(2) The term of office of a member appointed under sub-rule (1) shall be the remainder of the term of office of the member in whose place he has been appointed.

7. Dissolution of Samiti.- The State Government may at any time dissolve a Samitis without assigning any reasons:

8. Samitis to conform to the instructions of Board.- Every Samitis shall conform to such instructions as may, from time to time, be given by the Board.

9. Consultation with Avas Samiti.- (1) The Board shall consult the Avas Samiti concerned of the following matters:

- (a) Selection of sites for housing and improvement schemes:
- (b) Housing and improvement schemes framed by the Board:
- (c) General principles regarding allotment of plots and houses.

(2) The Board may also consult the Avas Samiti on such other matter or mattes as the Board by a resolution in this regard decide.