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THE ANDHRA PRADESH GAZETTE

PART IV-B EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 3]　　　AMARAVATI, WEDNESDAY, APRIL 19, 2017.

ANDHRA PRADESH ACTS, ORDINANCES AND REGULATIONS Etc.,

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 17th April, 2017 and the said assent is hereby first published on the 19th April, 2017 in the Andhra Pradesh Gazette for general information :-

ACT No. 3 of 2017

AN ACT FURTHER TO AMEND THE   ANDHRA   PRADESH INFRASTRUCTURE DEVELOPMENT ENABLING ACT, 2001.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Sixty-eighth year of the Republic of India as follows,-

1. (1) This Act may be called the Andhra Pradesh Infrastructure Development Enabling (Amendment) Act, 2017. *Short title and Commencement.*

   (2) It shall be deemed to have come into force with effect on and from   the 23rd October, 2016.

2. In the Andhra Pradesh Infrastructure Development Enabling Act, 2001, (hereinafter referred to as the Principal Act), in section-2,- *Amendment of Section 2.*

   (1) to clause (i), the following proviso shall be added, namely,- *Act No. 36 of 2001.*

   "Provided that unless the parties otherwise agreed the provisions of chapters V and VI of the Act shall not apply to any of the projects under taken as per provisions of the Act.".

(2)   after clause (s), the following new clause shall be inserted, namely,-

"(sa) 'Implementing Agency' means any department of Government, any Government Corporation or Public Sector undertaking and Government Agencies etc., which shall implement their projects independently by following the procedure i. e., Business Rules of their department, and other rules being followed by respective Government Departments, Government Agencies, Public Sector undertaking respectively. The Infrastructure Authority may be choosen to be Implementing Agency and frame its own procedure for such projects.".

(3)   clause (ff) shall be omitted.

(4)   to clause (ss), the following provisos shall be added, namely,-

"Provided that the interested applicants shall mean only qualified bidders.

Provided further that the proprietary information means and includes the business plan of the proponent viz., Technical data, the commercial information and plans or design etc., prepared by proponent but not the revenue share offered by proponent.".

Omission of Section 7.

3. In the Principal Act, Section 7 shall be omitted.

Amendment of section 9.

4. In the Principal Act, in Section 9, sub section (1) shall be omitted.

Amendment of Section 10.

5. In the Principal Act, in Section 10,-

(i) in clause (a), the following words shall be added at the end, namely,- "for such conceptualized projects"

(ii) Clauses (b) to (p) shall be omitted.

(iii) Clauses (s), (t), (v), (w), (x), (aa) and (bb) shall be omitted.

Omission of Sections 11 and 12.

6. In the Principal Act, Sections 11 and 12 shall be omitted.

Substitution of Section 14.

7. In the Principal Act, for Section 14, the following new Section shall be substituted, namely,-

| "Project Identification. | 14.Government or any Government Departments or Infrastructure Authority or any Government Public Sector undertaking or any Government Agency or local body may conceptualize develop and implement any infrastructure project by following the procedures prescribed by respective departments or such agencies referred above.". |

Omission of Sections 15 and 16.

8. In the Principal Act, Sections 15 and 16 shall be omitted.

Amendment of Section 17.

9. In the Principal Act, in Section 17, in the proviso the words "with the approval of the Infrastructure Authority" shall be omitted.

10. In the Principal Act, for Section 18, the following new Section shall be substituted, namely,-

| "Consultant Selection. | 18. The Government Agency or Local Authority or public sector undertaking or Infrastructure Authority |

may select appropriate consultants as may be required to conceptulize, development or implement any infrastructure project by following transparent procedure.".

Substitution of Section 18.

11. In the Principal Act, in section 19,-
(i) in clause II under the heading "Swiss Challenge Approach", sub clauses (iv), (v), (vi) and (vii) shall be omitted and after sub-clause (ix) the following sub clause shall be added, namely,-
"(x) the above Swiss Challenge approach shall however be followed in respect of a Project Subject to the approval of Competent Authority.".
(ii) in clause III under the heading "Competitive Bidding", sub cluase(vii) shall be omitted.

Amendment of Section 19.

12. In the Principal Act, in Sections 20, 22, 23, 24, 25 and 30 for the words "Infrastructure Authority", the word "Government" shall be substituted.

Amendment of Sections 20, 22, 23, 24, 25 and 30.

13. In the Principal Act, Sections 56, 57, 58, 59, 60 and 62 shall be omitted.

Omission of Sections 56, 57, 58, 59, 60 and 62.

14. In the Principal Act, in Sections 63 and 64 for the words "Infrastructure Authority", wherever they occur the words, "Government" shall be substituted.

Amendment of Sections 63 and 64.

15. In the Principal Act, Section 65 shall be omitted.

Omission of Section 65.

16. In the Principal Act, in Section 69, in sub section (1), the words "or order or direction of the Infrastructure Authority" shall be omitted.

Amendment of Section 69.

17. In the Principal Act, Section 78 shall be omitted.

Omission of Section 78.

18. In the Principal Act, after Section 83, the following new Section shall be added, namely,-

Insertion of new Section 84.

| "Transitional Provision. | 84. On and from the date of commencement of the Andhra Pradesh Infrastructure Development Enabling |

(Amendment) Act, 2017, all or any proceedings or proceeding concerned to any project if any pending before the Infrastructure Authority shall be transferred to and dealt with by the State Government as per the provisions of the Principal Act as amended by the said Act.".

19. The Andhra Pradesh Infrastructure Development Enabling (Amendment) Ordinance, 2016 is hereby repealed.

Repeal of Ordinance No. 5 of 2016.

C. S.S.V. DURGA PRASAD,
Secretary to Government,
Law Department.