



The Andhra Pradesh Municipalities (Amendment) Act, 1988

Act 31 of 1988

Keyword(s):

Annual Letting Value, Cattle, Councilor, Dangerous Disease, Development Commissioner, House-Gully, Land Revenue Code, Municipal Borough, Municipality, Nuisance, Octroi, Official Owner

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THE ANDHRA PRADESH MUNICIPALITIES
(AMENDMENT) ACT, 1988.

ACT NO. 31 OF 1988.

[14th September, 1988]

An Act further to amend the Andhra Pradesh
Municipalities Act, 1965.

Be it enacted by the Legislative
Assembly of the State of Andhra Pradesh
in the Thirty-ninth Year of the Republic
of India as follows:-

1. (1) This Act may be called the
Andhra Pradesh Municipalities (Amendment)
Act, 1988.

Short title
and
Commencement.

(2) It shall be deemed to have come
into force on the 23rd May, 1988.

*Received the assent of the Governor on the 13th September, -
1988. For Statement of Objects and Reasons, please see the
Andhra Pradesh Gazette, Part IV-A, Extraordinary, dated the
10th August, 1988, at page 3.

Amendment
of Section 3,
Act 6 of
1965.

2. In the Andhra Pradesh Municipalities Act, 1965, in section 3, for sub-sections (2) and (3), the following sub-sections shall be substituted, namely:--

“(2) Any resident of a local area or tax-payer of a Municipality, as the case may be, in respect of which any such notification has been published may, if he desires to object to anything therein contained, submit his objection in writing to the Government within six weeks from the publication of the notification and the Government shall take all such objections into consideration.

(3) When six weeks from the publication of the notification have expired, and the Government have considered the objections, if any, which have been submitted, they may, as the case may be, by notification in the Andhra Pradesh Gazette, declare to be a Municipality, or include in or exclude from a Municipality, the local area or any portion thereof.”

Repeal of
ordinance 9
of 1988.

3. The Andhra Pradesh Municipalities (Second Amendment) Ordinance, 1988 is hereby repealed.

THE ANDHRA PRADESH MUNICIPALITIES' AMEND-
MENT) ACT, 1994.

ACT No. 22 OF 1994.

[9th August, 1994.]

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH
MUNICIPALITIES ACT, 1965.

Be it enacted by the Legislative
Assembly of the State of Andhra Pradesh in
the Forty-fifth Year of the Republic of
India as follows:-

1. (1) This Act may be called the
Andhra Pradesh Municipalities (Amendment)
Act, 1994.

Short title
and
Commencement.

(2) It shall be deemed to have come
into force with effect on and from the
30th March, 1994.

*Received the assent of the Governor on the 6th
August, 1994. For Statement of objects and Reasons,
Please see Andhra Pradesh Gazette, Part IV-A, Extra-
ordinary, dated the 12th May, 1994 at Page 3.

Amendment of Section 62A. 2. In the Andhra Pradesh Municipalities Act, 1965, in section 62A, in sub-section (1), in the proviso for the words "in the aggregate exceed two years", the words "in the aggregate exceed three years" shall be substituted.

Repeal of Ordinance No. 5 of 1994. 3. The Andhra Pradesh Municipalities (Amendment) Ordinance, 1994 is hereby repealed.

K. SATHANARAYANA MURTHY,
Secretary to Government,
Legislative Affairs,
Law Department.

THE ANDHRA PRADESH MUNICIPALITIES (AMEND-
MENT) ACT, 1996.

ACT No. 15 OF 1996.

[26th August, 1996.]

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH
MUNICIPALITIES ACT, 1965.

Be it enacted by the Legislative
Assembly of the State of Andhra Pradesh in
the Forty-sevent Year of the Republic of
India as follows:-

*Received the assent of the Governor on the 26th
August, 1996. For Statement of objects and Reasons,
Please see Andhra Pradesh Gazette, Part IV-A, Extra-
ordinary, dated the 21st March, 1996 at Page 5 & 6.

Short title and commencement. 1. (1) This Act may be called the Andhra Pradesh Municipalities (Amendment) Act, 1996.

(2) It shall be deemed to have come into force with effect from the 12th February, 1996.

Amendment of section 74. 2. For section 74 of the Andhra Pradesh Municipalities Act, 1965 (hereinafter referred to as the principal Act), the following sections shall be substituted, namely:-

<p>Appointment to posts of Officers and employees of Council sanctioned under section 73.</p>	<p>74. Subject to any rules including the rule for the representation of Scheduled Castes, Scheduled Tribes and the socially and educationally backward classes of citizens which the Government may make in this behalf, and notwithstanding anything in the Andhra Pradesh (Andhra Area) Public Health Act, 1939 or any other law similar thereto for the time being in force, appointment to posts of officers and employees sanctioned under section 73, shall be made by the Chair-person:</p>
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Provided that an appointment to the post of a headmaster or a headmistress of a high school maintained by the Council shall be made from a panel prepared by a committee consisting of the Chair-person, the Commissioner, the District Educational Officer having jurisdiction and not less than three but not more than seven members chosen in this behalf by the Council:

Provided further that appointment to all the other posts the pay or maximum pay of which exceeds rupees one hundred shall be made from a panel prepared by a committee consisting of the Chair-person, the Commissioner and not less than three but not more than seven members chosen in this behalf by the Council."

3. For section 77 of the principal Amendment of Act, the following section shall be substituted, namely:-

"Power to punish municipal employees.	77.(1) Subject to the provisions of sections 79 and 80 and to such control as may be prescribed, the Commissioner may censure, fine, withhold increment in the time-scale of pay of, withhold promotion from, suspend or reduce in rank any officer or other employees in the service of the municipality except an officer appointed under section 29 or section 71, or an officer, or other employee belonging to a municipal service for the State constituted under section 80 for any breach of departmental rule or discipline or for carelessness, unfitness, neglect of duty or other misconduct after giving an opportunity of showing cause against the penalty proposed:
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Provided that a fine shall not be imposed on any officer or other employee unless he is a Bill-Collector or is the holder of such post as may be prescribed.

(2) Subject to such control as may be prescribed, the Chair-person shall have the power to impose penalty of removal or dismissal on such officer or

other employee after giving him a reasonable opportunity of showing cause against the action proposed to be taken in regard to him:

Provided that he may, in public interest, suspend any such officer or other employee pending action proposed to be taken in regard to him under this sub-section."

Repeal of Ordinance 8 of 1996. 4. The Andhra Pradesh Municipalities (Second Amendment) Ordinance, 1996 is hereby repealed.

G. BHAVANI PRASAD,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.

THE ANDHRA PRADESH MUNICIPALITIES (SECOND
AMENDMENT) ACT, 1996.

ACT NO. 25 OF 1996.

[5th October, 1996.]

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH
MUNICIPALITIES ACT, 1965.

Be it enacted by the Legislative
Assembly of the State of Andhra Pradesh in
the Forty-seventh Year of the Republic of
India, as follows:-

*Received the assent of the Governor on the 4th
October, 1996. For Statement of objects and Reasons,
Please see Andhra Pradesh Gazette, Part IV-A, Extra-
ordinary, dated the 27th August, 1996 at Page 3.

Short title. 1. This Act may be called the Andhra Pradesh Municipalities (Second Amendment) Act, 1996.

Amendment of section 11. 2. In the Andhra Pradesh Municipalities Act, 1965, in section 11, for the Act VI of 1965. words "the Government", wherever they occur, the words "the State Election Commission", shall be substituted.

G. BHAVANI PRASAD,
Secretary to Government,

THE ANDHRA PRADESH MUNICIPALITIES (AMENDMENT) ACT, 1996.

ACT No. 34 OF 1996.

[2nd November, 1996.]

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH MUNICIPALITIES ACT, 1965.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Forty-seventh Year of the Republic of India, as follows:-

1. (1) This Act may be called the Short title
Andhra Pradesh Municipalities (Third and
Amendment) Act, 1996. commence

*Received the assent of the Governor on the 12th October, 1996. For Statement of Objects and Reasons, Please see Andhra Pradesh Gazette, Part IV-A, Extraordinary, dated the 19th September, 1996 at Page 4.

(2) It shall be deemed to have come into force with effect from the 22nd November, 1995.

Amendment of Schedule II, Act VI of 1965. 2. In the Andhra Pradesh Municipalities Act, 1965, in Schedule II, under the heading "Taxation and Finance Rules", in Part I, Taxation Rules,-

(1) in rule 29,-

(a) to sub-rule (1), the following proviso shall be added, namely:-

"Provided that all notices, bills or directions referred to in sub-rule (1) shall be served on all the tax payers by the end of May for the first half year and by the end of November for the second half year.";

(b) in sub-rule (2), after Clause (b), the following clause shall be added, namely:-

"(c) an intimation about the charging of a simple interest at the rate of 2% per mensum in case of failure to pay property tax within fifteen days from the date of service of the bill.";

(2) in rule 30, to sub-rule (1), the following shall be added at the end, before the proviso, namely:- "and interest due on account of delay in the payment of property tax shall also be recovered in the manner provided in this rule:";

(3) in rule 32, in sub-rule (1), for the words "on account of the tax" occurring at three places, the words "on account of the tax including simple interest, if any," shall be substituted;

(4) to rule 35, the following Explanation shall be added, namely:-

"Explanation:- For the purpose of this rule, rule 36 and rule 37, the word 'tax' includes "the simple interest, if any."

G. BHAVANI PRASAD,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.

THE ANDHRA PRADESH MUNICIPALITIES (AMENDMENT) ACT, 1997.

ACT No. 20 OF 1997*.

[21st August, 1997]

An Act further to amend The Andhra Pradesh Municipalities Act, 1965.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Forty-eighth Year of the Republic of India, as follows:-

1. (1) This Act may be called the **Andhra Pradesh Municipalities (Amendment) Act, 1997.** Short title and commencement.

*Received the assent of the Governor on 19th August, 1997. For Statement of the Objects and Reasons. Please see the A.P. Gazette Part IV-A Extraordinary, dated 25th July, 1997 at P-4.

(2) It shall be deemed to have come into force with effect from the 27th March, 1996.

Amendment 2. In the Andhra Pradesh Municipality-
of section ties Act, 1965, (hereinafter referred
62-A, Act VI to as the principal Act) in section
of 1965. 62-A, in sub-section (1),-

(i) for the words "which shall not exceed one year", the words "which shall not exceed one and half years", shall be substituted;

(ii) in the proviso, for the words "beyond one year" the words "beyond one and half years" and for the words "in the aggregate exceed four years", the words "in the aggregate exceed five and half years or till the newly elected councils assume office whichever is earlier", shall be substituted.

Validation. 3. Notwithstanding anything contained in the principal Act, any judgement, decree or order of a Court, or any other authority, every action taken or thing done by the Special Officer in exercise of the powers conferred under section 62-A of the principal Act shall not be deemed to be invalid or ever to have become invalid by reason of the fact that such actions were taken or such things were done by such Special Officer when the power in this behalf had not been entrusted to him under the provisions of the said principal Act and accordingly any action taken or thing done by such Special Officer, shall for all purposes, be deemed to be, and deemed to have always been taken or done in accordance with the provisions of the principal Act as amended by this Act.

4. The Andhra Pradesh Municipalities Repeal of
(Amendment) Ordinance, 1997 is hereby Ordinance
repealed. 11 of 1997

G. BHAVANI PRASAD,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.

ACT No. 35 OF 1998.

*[22nd December, 1998.]

AN ACT FURTHER TO AMEND THE ANDHRA
PRADESH MUNICIPALITIES ACT, 1965.

Be it enacted by the Legislative
Assembly of the State of Andhra Pradesh
in the Forty-ninth Year of the Republic
of India, as follows:-

1. (1) This Act may be called the
Andhra Pradesh Municipalities (Amendment)
Act, 1998.

Short title
and
commence-
ment.

*[Received the assent of the Governor on the 18-12-1998.
For statement of object and reasons please see the Andhra
Pradesh Gazette, Part-IV-A, Extraordinary dated 25-07-1998
at Page 3.]

(2) It shall come into force on such date as the Government may, by notification, appoint.

Amendment
of
section 85
Act VI
of 1965.

2. In the Andhra Pradesh Municipalities Act, 1965, in section 85, after subsection (4), the following shall be added, namely:-

"(5) Notwithstanding anything contained in this Act and the Rules made thereunder, where a building is constructed, or re-constructed, or some structures are raised unauthorisedly, it shall be competent to the assessing authority to levy property tax on such building or structure with a penalty of ten per cent on the amount of tax levied till such unauthorised construction is demolished or regularised.

(6) A separate receipt for the penalty levied and collected shall be issued."

G. BHAVANI PRASAD,
Secretary to Government,
Legislative Affairs & Justice.
Law Department.

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 25th March, 1999 and the said assent is hereby first published on the 30th March, 1999 in the Andhra Pradesh Gazette for general information:-

ACT No. 5 OF 1999.

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH MUNICIPALITIES ACT, 1965.

BE it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fiftieth Year of the Republic of India as follows:-

1. (1) This Act may be called the **Short title, and commencement.**
Andhra Pradesh Municipalities (Amendment) Act, 1999.

Received the assent of the Governor on the 25-3-1999. For statement of objects and reasons please see the Andhra Pradesh Gazette, Part IV-A, Extraordinary, dt. 26-11-1998 at page 4.

(2) It shall come into force on such date as the State Government may, by notification, appoint.

Amend-
ment of
section 5.
Act VII of
1965

2. In the Andhra Pradesh Municipalities Act, 1965 in section 5, in subsection (2),--

(a) in clause (ii), for the proviso, the following proviso shall be substituted, namely:--

"Provided that a Member of the Legislative Assembly representing a Constituency which comprises more than one Municipality including a part of any Municipality, shall be ex-officio member of one such Municipality, which he chooses within a period of thirty days from the date of conduct of ordinary elections to the Municipalities or the date of election as Member of the Legislative Assembly by notice in writing duly signed by him and delivered to the Commissioner of that Municipality or Nagar Panchayat and he shall also have the right to speak in and otherwise take part in the proceedings of any meeting of the other Councils comprised within the Constituency, but shall not be entitled to vote at any such meeting. The intimation so given shall be final and irrevocable. In default of such intimation within the aforesaid period, the Election Authority shall decide the Municipality and inform the Member of the Legislative Assembly."

(b) in clause (iii), for the proviso, the following proviso shall be substituted, namely:--

"Provided that a Member of the House of the People representing a Constituency which comprises more than one Municipality

including a part of any Municipality, shall be ex-officio member of one such Municipality, which he chooses within a period of thirty days from the date of conduct of ordinary elections to the Municipalities or the date of election as Member of the House of the People by notice in writing duly signed by him and delivered to the Commissioner of that Municipality or Nagar Panchayat and he shall also have the right to speak in and otherwise take part in the proceedings of any meeting of the other Councils comprised within the Constituency, but shall not be entitled to vote at any such meeting. The intimation so given shall be final and irrevocable. In default of such intimation within the aforesaid period, the Election Authority shall decide the Municipality and inform the Member of the House of the People."

G. BHAVANI PRASAD,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.

STATEMENT OF OBJECTS AND REASONS

According to section 5(2) (ii) of Andhra Pradesh Municipalities Act, 1965, a Member of the Legislative Assembly representing a constituency which comprises more than one Municipality including a part of any Municipality, shall be ex-officio member of one such Municipality which he chooses with voting right and shall have the right to speak in or take part in the proceedings of the other Councils within the Constituency but not entitled to vote at any such meeting. The same holds good in respect of a Member of the House of the people under Section 5(2) (iii).

As no time limit was fixed in the said provisions to choose a Municipality, the Members of Legislative Assembly or Members of the House of the People are taking their own time resulting in the Municipal Councils transacting business in the absence of Ex-officio Members.

After careful examination, the Government have felt it desirable to fix a time limit of thirty days from the date of conduct of ordinary elections to the Municipalities or the date of election to the Assembly or the House of the People, as the case may be, to choose a Municipality, if there are more than one Municipality in the Constituency represented by the Member of the Legislative Assembly or as the case may be, Members of the House of the people concerned by giving a notice in writing to the Commissioner. It is also decided to make the intimation once made as irrevocable and in default of such intimation, the Election Authority shall be empowered to decide the Municipality to which the Member of Legislative Assembly or as the case may be the Member of the House of the People shall be ex-officio Member and to inform the same to such member. The Government have accordingly decided to amend section 5(2) (ii) and (iii) of the Andhra Pradesh Municipalities Act, 1965 suitably by substituting new provisos.

This Bill seeks to give effect to the above decisions.

BANDARU SATYANARAYANA MURTHY,
Minister for Municipal Administration
and Urban Development.

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 25th March, 1999 and the said assent is hereby first published on the 30th March, 1999 in the Andhra Pradesh Gazette for general information:-

ACT No. 6 OF 1999.

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH MUNICIPALITIES ACT, 1965

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fiftieth Year of the Republic of India as follows:-

1. (1) This Act may be called the Andhra Pradesh Municipalities (Second Amendment) Act, 1999.

~~Short~~
~~title~~
~~and~~
~~con-~~
~~sent.~~

Received the assent of the Governor on the 25-3-1999. For statement of objects and reasons please see the Andhra Pradesh Gazette, Part IV-A, Extraordinary, dt. 26-11-1998 at page 3.

(2) It shall be deemed to have come into force with effect from the 19th June, 1998,

**Insertion
of section
147A.**

2. In the Andhra Pradesh Municipalities Act, 1965, after section 147, the following shall be inserted, namely:-
1965.

*Acceptance of contributions towards the capital cost of underground drainage

147A. The Government may, by notification direct the council to levy and collect pipe-line service charges from every owner or occupier of a premises, to which underground drainage connection has been given at such rate as may be prescribed to the different categories specified therein to defray the capital cost of sewerage and sewage treatment works undertaken by the council and the operation and maintenance of the sewerage system from time to time:

Provided that no such charges shall be levied on the owner or occupier of any premises situated in the areas which are not served by the sewerage system by the Council."

**Repeal of
Ordinances
4 and 6 of
1998.**

3. The Andhra Pradesh Municipalities (Amendment) Ordinance, 1998 and the Andhra Pradesh Municipalities (Second Amendment) Ordinance, 1998 are hereby repealed.

G. BHAVANI PRASAD,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.

STATEMENT OF OBJECTS AND REASONS

Section 142 of the Andhra Pradesh Municipalities Act, 1965 empowers the Government to direct the Municipal Council to levy and collect the pipe-line service charges from the owner or occupier of a building of any category specified in clause (a) of sub-section (2) of section 141 to defray towards the capital cost of pipe-line service works and the operation and maintenance of pipe-line system from time to time. But there is no similar provision in the Act to enable the Municipal Council to levy and collect such pipe-line charges from the owners or occupiers of the buildings for having connection with underground drainage system.

To achieve the above object in view, the Government have therefore, decided to amend the Andhra Pradesh Municipalities Act, 1965 in Council Resolution No. 159/98, suitably.

As the Legislative Assembly of the State was not then in session having been prorogued and as it has been decided to give effect to the above decision immediately, the Andhra Pradesh Municipalities (Amendment) Ordinance, 1998 (A.P. Ordinance No. 4 of 1998) has been promulgated by the Governor on the 12th June, 1998 and in order to have continuity of law the Andhra Pradesh Municipalities (Second Amendment) Ordinance, 1998 (A.P. Ordinance No. 6 of 1998) has been promulgated by the Governor on the 3rd September, 1998.

This Bill seeks to replace the said Ordinances.

BANDARU SATYANARAYANA MURTHY,
Minister for Municipal Administration
and Urban Development.

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 15th April, 1999 and the said assent is hereby first Published on the 17th April, 1999 in the Andhra Pradesh Gazette for general information:-

ACT No. 10 OF 1999.

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH MUNICIPALITIES ACT, 1965.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fiftieth Year of the Republic of India, as follows:-

Received the assent of the Governor on the 15-4-1999. For statement of objects and reasons please see the Andhra Pradesh Gazette, Part IV-A, Extraordinary, dt. 22-3-1999 at pages 3 & 4.

Short
title
and
commence-
ment.

1. (1) This Act may be called the
Andhra Pradesh Municipalities (Third
Amendment) Act, 1999.

(2) It shall be deemed to have come
into force with effect from the 6th
February, 1999.

Amendment
of section
74. Act VI
of 1965.

2. In the Andhra Pradesh Municipalities
Act, 1965, in section 74,-

(i) in the second proviso, for the
words "to all the other posts the pay or
maximum pay", the words "to all the
other posts except all categories of
posts of teachers the pay or the maximum
pay", shall be substituted; and

(ii) after the second proviso, the
following proviso shall be added, namely:-

"Provided also that appointment to
all categories of posts of teachers shall
be made as per the procedure prescribed
by the Government from time to time."

Repeal of
Ordinance (Amendment) Ordinance, 1999 is hereby
2 of 1999. repealed.

3. The Andhra Pradesh Municipalities

G. BEAVANI PRASAD,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.

STATEMENT OF OBJECTS AND REASONS

According to G.O.Ms.No. 220, M.A. & U.D. Department, dated 30.4.1998, the District Selection Committee constituted under rule 3 of the Rules issued in G.O.Ms.No. 221, Education (Ser.III) Department, dated 16.7.1994 shall conduct recruitment to the teacher posts in the schools maintained by the Municipalities as per the procedure mentioned therein and names of the selected candidates shall be sent to the concerned Municipalities for issuance of appointment orders. The said rules were framed by invoking the provisions of the Andhra Pradesh Education Act, 1982 and the Andhra Pradesh Panchayat Raj Act, 1994 but not invoking the provisions of the Andhra Pradesh Municipalities Act, 1965.

The Andhra Pradesh High Court in its order dated 24.6.1999 in W.P.M.P.No. 18969/98 in W.P.No. 15902/98 filed by the President, the Andhra Pradesh Chamber of Municipal Chairman has suspended rule 3 of the rules issued by the Government in G.O.Ms.No. 221, Education (Ser.III) Department, dated 16.7.1994 in so far as the posts relating to the Municipalities are concerned, as it is in violation of section 74 of the Andhra Pradesh Municipalities Act, 1965 and article 243-W and Schedule 12, item-13 of the Constitution.

In view of the interim orders of the High Court, the rules issued in G.O.Ms.No. 220, M.A. & U.D. Department, dated 30.4.1998, and the Selection Committee constituted under rule 3 of G.O.Ms.No. 221, Education (Ser.III) Department, dated 16.7.1994 are not in tune with the provision of section 74 of the Andhra Pradesh Municipalities Act, 1965 and therefore Government have decided to amend the section 74 of the said Act, suitably and frame fresh rules.

As the Legislative Assembly of the State was not then in Session having been prorogued and as it has been decided

to give effect to the above decision immediately, the Andhra Pradesh Municipalities (Amendment) Ordinance 1999, (A.P. Ordinance 2 of 1999) has been promulgated by the Governor on the 6th February, 1999 and published it on the same date.

This Bill seeks to replace the said Ordinance. .

BANDARU SATYANARAYANA MURTHY,
Minister for Municipal Administration.

ANDHRA PRADESH ACTS, ORDINANCES AND REGULATIONS, Etc.

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 10th April, 2001 and the said assent is hereby, first published on the 11th April 2001 in the Andhra Pradesh Gazette for general information:-

ACT No. 10 OF 2001.

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH MUNICIPALITIES ACT, 1965.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-second Year of the Republic of India as follows:-

1. (1) This Act may be called the Andhra Pradesh Municipalities (Amendment) Act, 2001. Short title extent and Commencement.

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall come into force on such date as the State Government may, by notification in the Andhra Pradesh Gazette, appoint.

Amendment of
Section 46,
Act VI of
1965.

2. In the Andhra Pradesh Municipalities Act, 1965, throughout the section 46, for the words "members including the ex-officio members", wherever they occur, the words "members; chairperson and the ex-officio members", shall be substituted.

G. BHAVANI PRASAD,
Secretary to Government,
Legislative Affairs &
Justice, Law Department.

STATEMENT OF OBJECTS AND REASONS

Under sub-section (2) of Section 46 of Andhra Pradesh Municipalities Act, 1965, the motion of no-confidence in Vice-Chairperson can be moved by members including Ex-officio members of the Council and by such members not less than one half of the sanctioned strength of the Council. Since the Chairperson is directly elected, he is not included in the sanctioned strength of the Council. However, by virtue of sub-section (7) of Section 23 of Andhra Pradesh Municipalities Act, 1965, Chairperson by virtue of his office, be a member of Municipal Council and shall have all the rights and privileges of an elected member and shall be entitled to vote at all the meetings of the Council including the meetings convened to pass motion of no confidence in the Vice-Chair-person. But the wording of Section 46 (2) gives rise to an ambiguity whether Chairperson can be a signatory in such no confidence motion. In order to avoid any ambiguity in the matter and to include the Chairperson in the sanctioned strength of the Council Government have decided to amend the section 46 of the Andhra Pradesh Municipalities Act, 1965 suitably.

2. This Bill seeks to give effect to the above decision.

N. MD. FAROOK,
Minister for Municipal
Administration and Urban
Development.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.**

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 10th April, 2002 and the said assent is hereby first published on the 11th April, 2002 in the Andhra Pradesh Gazette for general information:-

Act No. 9 OF 2002.

**AN ACT FURTHER TO AMEND THE ANDHRA
PRADESH MUNICIPALITIES ACT, 1965.**

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty-third Year of the Republic of India as follows:-

1. (1) This Act may be called the Andhra Pradesh Municipalities (Amendment) Act, 2002.

Short title and commencement

(2) It shall be deemed to have come into force on the 23rd November, 2001.

2. In the Andhra Pradesh Municipalities Act, 1965, in Section 7, in Sub-section (2), in the proviso for the words "within a period of one year," the words "within a period of one and half years", shall be substituted.

Amendment of Section 7, Act VI of 1965.

3. The Andhra Pradesh Municipalities (Amendment) Ordinance, 2002 is hereby repealed.

Repeal of Andhra Pradesh Ordinance I of 2002.

K.G. SHANKAR,
Secretary to Government,
Legislative Affairs & Justice (FAC),
Law Department.

STATEMENT OF OBJECTS AND REASONS

According to proviso under sub-section (2) of section 7 of the Andhra Pradesh Municipalities Act, 1965, the appointment of Special Officer to the newly constituted Municipalities in the absence of an elected body to perform the duties and functions of the council is for a period of one year only. Due to various reasons such as wars division, fixation of reservation of seats for Palasa-Kasibugga Municipality elections could not be held. Necessary steps have already been taken to complete the ward division and fixation of reservations of seats etc. and it has been proposed to conduct elections within the stipulated time.

As the term of the Special Officer of Palasa-Kasibugga Municipality expires by 29-1-2002, it was decided to amend sub-section (2) of section 7 of the said Act enabling the Government to extend the term for a further period of six months and accordingly the Andhra Pradesh Municipalities (Amendment) Ordinance, 2002 (A.P. Ordinance 1 of 2002) was promulgated by the Governor on 28-1-2002.

As the Legislative Assembly was not then in session having been prorogued and in order to have continuity of the Office of the Special Officer in the above said Municipality it has been decided to extend the term of the Special Officer for a further period of six months, the Andhra Pradesh Municipalities (Amendment) Ordinance, 2002 (A.P. Ordinance 1 of 2002) has been promulgated by the Governor on the 28th January, 2002.

This Bill seeks to replace the above said Ordinance.

N.MD. FAROOK,
*Minister for Municipal Administration
and Urban Development.*

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.**

The following Act of the Andhra Pradesh Legislative Assembly received the assent of the Governor on the 7th August, 2002 and the said assent is hereby first published on the 9th August, 2002 in the Andhra Pradesh Gazette for general information.

ACT NO. 19 OF 2002.

**AN ACT FURTHER TO AMEND THE ANDHRA
PRADESH MUNICIPALITIES ACT, 1965.**

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Fifty third Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Andhra Pradesh Municipalities (Second Amendment) Act, 2002.

(2) It shall be deemed to have come into force on the 2nd May, 2002.

Amendment of section 7 Act VI of 1965.

2. In the Andhra Pradesh Municipalities Act, 1965, in section 7, in sub-section (2), in the proviso for the words "within a period of one and half years", the words "within a period of two years", shall be substituted.

Repeal of Andhra Pradesh Ordinance 2 of 2002.

3. The Andhra Pradesh Municipalities (Second Amendment) Ordinance, 2002, is hereby repealed.

K.G. SHANKAR,
Secretary to Government,
Legislative Affairs & Justice (FAC),
Law Department.

STATEMENT OF OBJECTS AND REASONS

According to proviso under sub-section (2) of section 7 of the Andhra Pradesh Municipalities Act, 1965 empowers the Government to appoint a Special Officer for a period of one year for the newly constituted Municipal Councils to exercise the powers, discharge the duties and perform the functions of the Council. The Special Officer so appointed shall cause arrangements for election to be made so that the Chairperson and the elected members may come into Office. The said term of the one year was raised to one and half year through the Andhra Pradesh Municipalities (Amendment) Act, 2002 (Act 9 of 2002) with retrospective effect from 23rd November, 2001. The election to the Palasa - Kasibugga Municipal Council which is a newly constituted Municipality could not be held due to revision of wards division and the revision was sub-sequently completed. An election Notification for Palasa - Kasibugga Municipal Council was issued by the State Election Commission on 16-3-2002. After issue of the said Notification, Sri T. Krishna Rao and another residents of Palasa have approached the Hon'ble High Court in W.P.M.P. No. 6010 of 2002 and their prayer is to stay all further proceedings including the proposed conduct of elections of the Palasa Kasibugga Municipal Council, Srikakulam District pending disposal of W.P.No. 4814 of 2002. On which the Hon'ble High Court directed the concerned not to conduct elections. As per the High Court directions election to the Palasa - Kasibugga Municipal Council could not be held. Necessary steps have already been taken to vacate the stay orders in consultation with the Government Pleader for General Administration Department in order to conduct the elections. According to proviso to the sub-section (2) of Section 7 of the A.P. Municipalities Act, 1965, the term of special officer will continue up to 23-5-2002. Within the said date the election process could not be completed in view of the interim orders

of the High Court. Therefore, it is necessary to extend the term of Special Officer of the Palasa - Kasibugga Municipality for a further period of six months from 24-5-2002 to 23-11-2002. Subsequently stay has been vacated and action is being taken to conduct the elections by the Director of Municipal Administration/State Election Commission.

As the Legislative Assembly was not then in session having been prorogued and in order to have continuity of the office of the Special Officer in the above said Municipality it has been decided to extend the term of the Special Officer for a further period of six months, the A.P. Municipalities (Second Amendment) Ordinance, 2002 (A.P. Ordinance 2 of 2002) has been promulgated by the Governor on the 21st May, 2002 which has been published in Part IV-B, Extraordinary of the Andhra Pradesh Gazette dated the 22nd May, 2002.

This Bill seeks to replace the above said Ordinance.

N.Md. FAROOK,

Minister for

*Municipal Administration and
Urban Development.*

Registered No. HSE/49

[Price : Rs. 0-30 Paise.



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THE ANDHRA PRADESH GAZETTE

PART IV-B EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 19] HYDERABAD, WEDNESDAY, SEPTEMBER 23, 2009

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.**

The following Act of the Andhra Pradesh Legislature, received the assent of the Governor on the 19th September, 2009 and the said assent is hereby first published on the 23rd September, 2009 in the Andhra Pradesh Gazette for general information:-

ACT No. 16 OF 2009.

**AN ACT FURTHER TO AMEND THE ANDHRA PRADESH
MUNICIPALITIES ACT, 1965.**

Be it enacted by the Legislature of the State of Andhra Pradesh in the Sixtieth Year of the Republic of India as follows:-

[1]

A. 340

Short title and commencement.

1. (1) This Act may be called the Andhra Pradesh Municipalities (Amendment) Act, 2009.

(2) It shall be deemed to have come into force on the 6th August, 2005.

Insertion of section 24, Act No. 6 of 1965.

2. In the Andhra Pradesh Municipalities Act, 1965, after section 23-A the following new section shall be inserted, namely:—

“Reservation of Offices of Chairpersons.

24. Out of the total number of offices of Chairpersons in the State, the Government shall, subject to such rules as may be prescribed, reserve--

(i) such number of offices to the Scheduled Castes and Scheduled Tribes as may be determined subject to the condition that the number of offices so reserved shall bear, as nearly as may be, the same proportion to the total number of offices to be filled in the State as the population of the Scheduled Castes or Scheduled Tribes, as the case may be, in the Municipalities of the State bears to the total population of the Municipalities in the State and such offices may be allotted by rotation to different Municipalities in the State;

(ii) one-third of the Offices to the Backward Classes and such offices may be allotted by rotation to the different Municipalities in the State;

(iii) not less than one-third of the total number of offices reserved under clauses (i) and (ii) above for women belonging to the Scheduled Castes and Scheduled Tribes, or as the case may be, Backward Classes; and

(iv) not less than one-third (including the number of offices reserved for women belonging to Scheduled Castes and Scheduled Tribes and the Backward Classes) of the total number of offices to be filled in the State, for women and such offices may be allotted by rotation to different Municipalities in the State.”

R. RAMA CHANDRA REDDY,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.

Registered No. HSE/49

[Price : Rs. 0-30 Paise.



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THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 16] HYDERABAD, TUESDAY, APRIL 26, 2011.

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS ETC.**

The following Act of the Andhra Pradesh Legislature, received the assent of the Governor on the 23rd April, 2011 and the said assent is hereby first published on the 26th April, 2011 in the Andhra Pradesh Gazette for general information.

ACT No. 16 OF 2011.

**AN ACT FURTHER TO AMEND THE ANDHRA
PRADESH MUNICIPALITIES ACT, 1965.**

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

1. (1) This Act may be called the Andhra Pradesh Municipalities (Amendment) Act, 2011.

**Short title
and
commen-
cement.**

[1]

A. 457

(2) It shall be deemed to have come in to force on the 1st April, 2009.

**Omission
of section
123 and
Schedule
VIII of
Act No. 6
of 1965.**

2. In the Andhra Pradesh Municipalities Act, 1965,
- (i) section 123 shall be omitted; and
 - (ii) Schedule VIII shall be omitted.

A. SHANKAR NARAYANA,
Secretary to Government,
Legislative Affairs & Justice,
Law Department.