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ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 7th July, 2020 and the said assent is hereby first published on the 8th July, 2020 in the Andhra Pradesh Gazette for general information:

ACT No. 24 of 2020.

AN ACT FURTHER TO AMEND THE MUNICIPAL CORPORATIONS
ACT, 1955 AND THE ANDHRA PRADESH MUNICIPALITIES ACT, 1965

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventy-First Year of the Republic of India as follows,-

1. (1) This Act may be called the Andhra Pradesh Municipal Laws (Amendment) Act, 2020.

   (2) It shall be deemed to have come into force on and from the 2nd March, 2020.

2. In the Municipal Corporations Act, 1955,-

   (1) to section 20-A, the following proviso shall be added, namely,-

   "Provided that such convicted person shall cease to hold office in case he is already elected."

[1]
(2) in section 23, in sub-section (1), after clause (b), the following clause shall be inserted, namely:-

"(bb) Notwithstanding any other provisions in this Act, if the Member of the Ward fails in performing the functions or discharging the duties provided in the Act and omitted or refused to carry out the orders of the Government."

(3) in section 33, for clauses (a), (b), (c) and (d), the following shall be substituted, namely:-

"(a) the last date for making nominations, which shall be not earlier than the third day and not later than the sixth day after the date of publication of the first mentioned notification under this section whether or not it is a public holiday;

(b) the date for the scrutiny of nominations shall be the day immediately following the last date for making nominations whether or not it is a public holiday;

(c) the last date for the withdrawal of candidatures shall be not earlier than the second day after the date for the scrutiny of nominations whether or not it is a public holiday; and

(d) the date or dates on which a poll shall, if necessary, be taken which or the first of which shall be a date not earlier than the seventh day after the last date for the withdrawal of candidatures."

(4) in section 40, in sub-section (1), the existing proviso shall be omitted.

(5) in section 88, after clause (c), the following proviso shall be inserted, namely, -

"Provided that if the Mayor of the Corporation fails to convene two meetings of the General Body consecutively within a period of six months from the date of last meeting held, the Government may by notification in Andhra Pradesh Gazette remove the Mayor who in his/her opinion wilfully omits to convene the General Body Meeting after giving reasonable opportunity for his/her explanation."

(6) after section 117, the following new sections shall be added, namely, -
"117-A. Functions of the Mayor of the Corporation:

Notwithstanding any other provisions in this Act, the Mayor of the Corporation shall perform the following functions:

(a) maintain proper sanitation, water supply, street lighting and scientific process & disposal of solid and liquid wastes.

(b) ensure 100% Households and commercial establishments in the Corporation segregate the waste and handover to person/agency authorised by the Corporation.

(c) ensure 100% removal of encroachments on Government/ Municipal lands in the Corporation.

(d) ensure no unauthorised constructions in the Corporation.

(e) develop and maintenance of Parks and play grounds.

(f) ensure construction of Rain Water Harvesting Structures in the Corporation.

(g) ensure proper tree plantation, survival and maintain Green coverage in the Corporation.

117-B. Functions of the Ward Member of the Corporation:

Notwithstanding any other provisions in this Act, the Ward Member shall perform the following functions in the Ward:

(a) maintain proper sanitation, water supply and street lighting.

(b) ensure 100% Households and commercial establishments in the ward segregate the waste and handover to person/agency authorised by the Corporation.

(c) ensure 100% removal of encroachments on Government/ Municipal lands in the Corporation ward.

(d) ensure no unauthorised constructions in the ward.

(e) develop and maintenance of parks and play grounds.

(f) ensure construction of Rain Water Harvesting Structures in the ward.

(g) ensure proper tree plantation, survival and maintain Green coverage in the ward."
(7) in section 607, for the words "three months and with fine", the following shall be substituted, namely,-

"three years and with fine which may be extended up to Rupees twenty five thousand.".

Amendment of Act 6 of 1965.

3. In the Andhra Pradesh Municipalities Act, 1965,-

(1) to section 15-A, the following proviso shall be added namely,-

"Provided that such convicted person shall cease to hold office in case he is already elected."

(2) in section 16, in sub-section (1), after clause(aa), the following clause shall be inserted, namely,-

"(aaa). Notwithstanding any other provisions in this Act, if the Member of the ward fails in performing the functions or discharging the duties provided in the Act and omitted or refused to carry out the orders of the Government."

(3) in section 47, in sub-section (1), after clause(d), the following clause shall be added, namely,-

"(e). Notwithstanding any other provisions in this Act, the Chairperson shall perform the following functions in the Municipality-

(i) maintain proper sanitation, water supply, street lighting and scientific process & disposal of solid and liquid wastes.

(ii) ensure 100% Households and commercial establishments in the Corporation segregate the waste and handover to person/agency authorised by the Municipality.

(iii) ensure 100% removal of encroachments on Government/Municipal lands in the Municipality.

(iv) ensure no unauthorised constructions in the Municipality."
(v) develop and maintain Parks and play grounds in the Municipality.

(vi) ensure construction of Rain Water Harvesting Structures in the Municipality.

(vii) ensure proper tree plantation, survival and maintain Green coverage in the Municipality.

(4) in section 53, after sub-section (3), the following new sub-section shall be inserted, namely,-

“(4) Every Member of the Council shall,

(a) maintain proper sanitation, water supply and street lighting in the Ward.

(b) ensure 100% Households and commercial establishments in the ward segregate the waste and handover to person/agency authorized by the Municipality.

(c) ensure 100% removal of encroachments on Government/Municipal lands in the ward.

(d) ensure no unauthorized constructions in the ward.

(e) develop and maintenance of parks and play grounds in the ward.

(f) ensure construction of Rain Water Harvesting Structures in the ward.

(g) ensure proper tree plantation, survival and maintain Green coverage in the Ward.”

(5) in section 343-L, for the words “three months and with fine”, the following shall be substituted, namely,-

“three years and with fine which may be extended up to Rupees twenty thousand.”.

(6) in Schedule I, after Rule 1, the following proviso shall be added, namely,-
“Provided that if the Chairperson fails to convene two meetings of the Council consecutively within a period of two months from the date of last meeting held, the Government may, by notification in Andhra Pradesh Gazette remove the Chairperson who in his/her opinion willfully omits to convene the Council meeting after giving reasonable opportunity for his/her explanation.”.

4. The Andhra Pradesh Municipal Laws (Amendment) Ordinance, 2020 is hereby repealed.

GONTU MANOHARA REDDY,
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Legal and Legislative Affairs & Justice,
Law Department.