

The Andhra Pradesh Towns Nuisances Act, 1889

ANDHRA PRADESH

India

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Act 3 of 1889

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The Andhra Pradesh Towns Nuisances Act, 1889[23rd December, 1889]Act No. 3 of 1889An Act to provide for the Prevention and Control of NuisancesWhereas it is expedient to amend Act XXIV of 1859 and to consolidate and improve the law relating to nuisances x x x ; It is hereby enacted as follows:

1. Short title

(1)This Act may be called the Andhra Pradesh Towns Nuisances Act. 1889.(2)Section 1 of this Act extends to the whole of the State of Andhra Pradesh. The remaining sections extend to all towns in the said State which may have been or may hereafter be declared to be Municipalities under the Andhra Pradesh (Andhra Area) District Municipalities Act, 1920 (Act V of 1920), or other Acts of the same nature for the time being in force; and the State Government may from time to time by notification in the Official Gazette, extend such sections or any part or parts thereof permanently or for a time or for specified occasions only, from such date as may be specified in the notification to any other local area in the State of Andhra Pradesh and may cancel or modify any such notification.

2. Omitted.

3. Penalty for certain offences in public places

Whoever in any public place commits any of the following offences shall be liable on conviction to fine not exceeding fifty rupees or to imprisonment of either description not exceeding eight days.(1)Rash and negligent driving:— Whoever drives or rides any animal, or drives, drags or pushes any vehicle, in a rash or negligent manner.(2)Causing obstruction by negligence in driving cattle:— Whoever by negligence or ill-usage in driving cattle causes any mischief or obstruction by such cattle.(3)Driving, etc., otherwise than on rear or left side of the road:— Whoever without reasonable excuse and so as to cause danger or obstruction to any person shall drive, drag or push any vehicle

otherwise than on the rear or left side of the road.(4)Leaving vehicle or cattle, without due control:—Whoever, being in-charge of any vehicle or cattle, leaves it or them at such a distance as not to have the same under due control.(5)Obstructing thoroughfare:—Whoever causes any vehicle to remain or stand longer than may be necessary for loading or unloading except at places appointed for the purpose, or fastens any horse or other animal so as to cause obstruction or in any way wilfully obstructs or causes obstruction to the free passage of any thorough fare.(6)Exposing goods so as to cause obstruction:— Whoever exposes goods for sale so as to cause obstruction.(7)Letting loose horses or ferocious dogs:—Whoever negligently lets loose any horse or suffers any ferocious dog to be at large without a muzzle or sets on or urges any dog or other animal to attack, worry or put in fear any person or cattle.(8)*** (9)Depositing rubbish, stones, etc.:— Whoever without reasonable excuse throws or lays down any dirt, filth, rubbish, or any stones or building materials.(10)Unauthorized use of sound amplifiers in public:— Whoever uses any sound amplifier except at such times and places and subject to such conditions as shall, from time to time, be allowed by an officer of the Police Department not below the rank of a Deputy Superintendent of Police.(11)Committing nuisances in public places:— Whoever wilfully and indecently exposes his person or commits a nuisance by easing himself, and whoever, having the care or custody of any child under seven years of age, omits to prevent such child from committing a nuisance as aforesaid.(12)Drunken or riotous, disorderly or indecent behaviour:— Whoever is found drunk and incapable of taking care of himself, or is guilty of any riotous, disorderly or indecent behaviour.Explanation:— In this section "public place" means a place (including a road, street or way, whether a thoroughfare or not, and a landing place) to which the public are granted access or have a right to resort, or over which they have a right to pass.

4. Neglecting to fence in well, tank etc.

Whoever neglects to fence in or protect any well, tank or other dangerous place or structure; or, Causing offensive matter to run from house, etc.:— Whoever causes any offensive matter to run from any house, factory, dung-heap or the like into the street shall be liable on conviction to fine not exceeding fifty rupees or to imprisonment of either description which may extend to one month.

5. Penalty for cruelty to animals

Whoever cruelly beats, ill-treats, tortures or drives, rides or otherwise uses any animal in an unfit state to be so driven, ridden or used, or causes any animal to be cruelly beaten, ill-treated, tortured, or to be driven, ridden or used when unfit to be driven, ridden or used, shall be liable on conviction to fine not exceeding fifty rupees, or to imprisonment of either description not exceeding one month, or to both.

6. Omitted.

7. Omitted

8. Power to arrest without warrant on view of offence

(1)Any police officer may arrest without a warrant any person committing in his view any offence made punishable by this Act.(2)Any agent of the Society for the Prevention of Cruelty to Animals who is specially empowered by the State Government in that behalf may arrest without a warrant any person committing in his view any offence punishable under Section 5;(3)The agent shall have power to release any person so arrested on his executing a bond, with or without sureties, for his appearance before a Magistrate if and when required.(4) The provisions of the Code of Criminal Procedure, 1898, shall apply to any arrest made or bond taken under this section as if the arrest had been made, or the bond had been taken, under the said Code.

9. Omitted.

10. Destruction of stray dogs

The District or Sub-Divisional Magistrate may from time to time cause to be notified by beat of drum or otherwise that dogs found straying within certain limits will be destroyed, and dogs found straying within such limits after such notification may be destroyed by any person in such manner as the District or Sub-Divisional Magistrate may from time to time direct.

11. Act to form part of District Police Act

Sections 3 and 4 of this Act shall be read with, and form part of, Act XXIV of 1859.