

Andhra Pradesh Municipalities (Division of Nagar Panchayats and Municipalities into Wards) Rules, 1994

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-MUNICIPALITIES-DIVISION-OF-NAGAR-PANCHA of 1994

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Andhra Pradesh Municipalities (Division of Nagar Panchayats and Municipalities into Wards) Rules, 1994 In exercise of the powers conferred by sub-section (1) of Section 326 read with clause (a) of sub-section (1) of Section 10 of the Andhra Pradesh Municipalities Act, 1965 and in supersession of the orders issued from time to time, on the subject, the Governor of Andhra Pradesh hereby makes the following rules for division of Nagar Panchayats and Municipalities into wards.

1.

(i) These rules may be called the Andhra Pradesh Municipalities (Division of Nagar Panchayats and Municipalities into Wards) Rules, 1994. (ii) These rules shall apply to all Nagar Panchayats and Municipalities in the State.

2.

In these rules unless the context otherwise requires.-(i) "Government" means the Government of Andhra Pradesh; (ii) "Act" means the Andhra Pradesh Municipalities Act, 1965; (iii) "Ward" means a territorial constituency in the Municipal area.

3.

The Municipality shall be divided into as many single member wards as the number of elected members notified under clause (1) of sub-section (2) of Section 5 of the Act: Provided that the existing composition of Wards shall be continued until such wards are re-divided by the Government.

4.

(i) The Municipal Commissioner shall issue a notice relating to the proposal to divide/ re-divide the Municipality/Nagar Panchayat into wards and call for suggestions from the General Public so as to reach the Municipal Office within seven (7) days from the date of publication of the Notice, in Municipal Office, other prominent places and a local news paper having circulation in the District. (ii) Members of Legislature and Parliament concerned shall also be informed of the proposals in question by the Municipal Commissioner requesting their views and suggestions in this matter within seven (7) days from the date of receipt of the letter from the Municipal Office.

5.

The Municipal Commissioner while proposing for division of Municipality/Nagar Panchayat into wards shall take care to maintain that the population in the wards is approximately equal and voting strength is uniform as far as possible with due regard to maintenance of natural boundaries geographical features and contiguity of the area duly keeping in view the suggestions received from the public and Legislators if any.

6.

The variation in voting strength shall not be more than ten (10) percent from one ward to the other in a Municipality or Nagar Panchayat as the case may be: Provided that where the number of voters in a ward is not proportionate to its population, then the voting strength shall be taken as the basis for division of Municipality/Nagar Panchayat into wards.

7.

The population figures of the last census have to be adopted for division of the Municipality/Nagar Panchayat into wards.

8.

The proposal of division of wards shall be exhaustive and supported with a sketch drawn to scale in different colours showing the existing ward division and proposed ward division. Copies of suggestions received from the public and Legislators, Explanatory note containing the details of suggestions received, acceptance or rejection of the suggestions with reasons shall be submitted by

Municipal Commissioner to Commissioner and Director of Municipal Administration who in turn will submit them to the Government with the ward division proposals.

9.

The division and serial number of wards should be continuous beginning from North, East, South and West in clock-wise direction. The description of the boundary of each ward should be clock-wise starting from North. Natural boundaries, geographical features should be adopted in the description of the boundaries as far as possible. Where the natural boundaries could not be adopted, survey numbers, important curves, junctions or lines should be mentioned in the boundary description.

10.

The following certificates shall be enclosed to the ward division proposals: (a) Certificate that the boundary description of each ward has been verified and found correct. (b) Certificate that no part of the Municipal area has been left without being included in one or other ward of the Municipality. (c) Certificate that no area has been included in more than one Ward.

11.

After finalisation of Ward Division proposals, the Municipal Commissioner shall submit the said proposals to the Government through Commissioner and Director of Municipal Administration. After receipt of the proposals from Commissioner and Director of Municipal Administration the Government shall consider the matter and issue a draft notification showing division of Municipality into wards and calling for the views of Municipal Councils as required under Section 10 of the Andhra Pradesh Municipalities Act, 1965 and suggestions from the Members of the Public within seven days from the Publication of the Notification in Municipal Office and Office of the District Collector. The draft notification will be sent to Municipal Commissioner for placing the matter before the Municipal Council for obtaining their views and to affix the draft notification on the notice board of Municipal Office calling for suggestions about the division of Municipality into wards. Similarly, a copy of the draft notification shall be sent to the District Collector by the Government for getting it affixed on the notice board of the Collectorate giving an opportunity to make suggestions about the division of the Municipality into wards.

12.

After obtaining the views of the Municipal Council and after receipt of the representation, if any, on the draft Notification, the Municipal Commissioner shall submit a report to the District Collector in this matter together with a copy of Council Resolution within three (3) days after the expiry of the seven days period, i.e., from the date of Publication of draft proposal. Thereafter, the District Collector will consider the representations received from Public, report of Municipal Commissioner, and views of the Municipal Council in this matter and submit his report to the Government through Commissioner and Director of Municipal Administration within four (4) days after receipt of report

from Commissioner.

13.

The Government in consultation with Commissioner and Director of Municipal Administration examine the report of the District Collector, views of the Municipal Council and representations received from the Public in the matter and issue final notification dividing the Municipality into wards. The final notification shall be Published in Andhra Pradesh Gazette.