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RULES SUPPLEMENT TO PART VII
EXTRAORDINARY
OF

THE ANDHRA PRADESH GAZETTE

PUBLISHED BY AUTHORITY

No. 7] HYDERABAD, MONDAY, AUGUST 22, 1994

NOTIFICATIONS BY GOVERNMENT

PANCHAYATI RAJ, RURAL DEVELOPMENT & RELIEF
DEPARTMENT.

(Mandal-I)

RULES RELATING TO ANDHRA PRADESH GRAM PANCHAYATS (DECLARATION OF VILLAGES) RULES 1994.

[G.O.Ms.No. 515, Panchayati Raj, Rural
Development & Relief (Mandal-I),
17th August, 1994.]

In exercise of the powers conferred by
sub-section (1) and (2) of section 3 read
with sub-section (1) of section 268 of the

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Andhra Pradesh Panchayat Raj Act, 1994, (Act 13 of 1994), the Government of Andhra Pradesh hereby makes the following rules:-

RULES

1. These rules may be called the Andhra Pradesh Gram Panchayats (Declaration of Villages) Rules, 1994.

2. In these rules, unless the context otherwise requires:-

(i) 'Act' means the Andhra Pradesh Panchayati Raj Act, 1994 (Act No. 13 of 1994);

(ii) 'Distance' means the distance of an area from the office building of the Gram Panchayat, if any, or from a central point in the village as fixed by the Commissioner (PR);

(iii) 'Local Area' means any area comprised within the jurisdiction of a Gram Panchayat and includes any area not previously included in any Gram Panchayat that may be declared to be or to form part of a Gram Panchayat.

3. Save as otherwise provided in these rules, ordinarily, every revenue village ~~including~~ ^{including} ~~areas other than the Scheduled Areas~~ with a population of ~~1000/~~ ^{one} ~~(Three-Thousand)~~ and more and with an income of ~~rupees 3,000/-~~ ^{three thousand} ~~(Rupees three thousand)~~ and above per annum in Andhra Area and with a population of one thousand and more and with an income of ~~Rupees 1,500/-~~ ^{one thousand and five hundred} ~~(Rupees one thousand and five hundred)~~ and above per annum in Telangana area shall be declared as a village. Population of 1000 and more shall be declared as a village.
Provided that the no. of Gr. Pts. in MPic shall not exceed 2

* These Gram Panchayats as far as possible.

4. Any hamlet of a revenue village declared as a village under rule 3, lying within a distance of three Kilometers irrespective of its population and income shall ordinarily be included in that village:

Provided that the Commissioner, for special reasons such as geographical features communication facilities or viability may declare one or more such hamlets into a separate village.

5. In the Scheduled Areas, the Commissioner may declare one or more revenue villages or a group of revenue villages or (hamlets thereof) irrespective of the population and income as a village having the regard to the distance, terrain and viability of the local area comprised therein.

Explanation:- For the purpose of this rule, the expression 'Scheduled Areas' means such areas in the State as the President of India has by order declared to be "Scheduled Areas",

6. If a local area comprised in a revenue village or villages which is not in the Scheduled Areas, is beyond a distance of 3 K.Mts. from that revenue village or villages, as the case may be, and has a population of three thousand in Andhra Area and one thousand in Telangana Area and more and an income of rupees three thousand and above per annum in the Andhra Area and rupees fifteen hundred and above per annum in the Telangana Area, it may be declared as a Separate village:

Provided that, for reasons to be specified in the notification, any such local

area, which is beyond a distance of three kilometers may, irrespective of its population and income also be declared as separate village:

Provided further that the commissioner may, for special reasons, such as geographical features, communication facilities, or viability may declare one or more revenue villages which are at a distance of three kilometers or less into a separate village, irrespective of its population and income.

7. Two or more contiguous revenue villages or hamlets, or any part of Revenue Mandal each with a population of less than three thousand and income of less than rupees three thousand per annum in the Andhra Area and a population of one thousand and income of Rs. 1500/- (Rupees one thousand and five hundred) per annum in the Telangana Area may be declared as single village.

8. Subject to the provisions contained in the Act and these rules, where a Gram Panchayat passes an unanimous resolution that a local area shall not be excluded from or included in a village, the Commissioner, if satisfied that such resolution is not vitiated by any irregularity, impropriety or illegality shall not, except for special reasons to be recorded in writing, exclude from or include in that village any such area.

9. Where it becomes necessary to take action under sub-section (2) of section 3 of the Act, to exclude from a village any local area or include in village any local area or

unite two or more villages or parts of villages or to alter the boundaries of any villages or to alter the name of any village in giving effect to these rules, the Commissioner shall, before issuing a notification therefor, give the Gram Panchayat which will be affected by the issue of such notification an opportunity of showing cause against the proposal to indicate its decision within a period of ten days from the date of receipt of the show cause notice and consider the objections, if any, of such Gram Panchayat;

Provided that where a Special Officer has been appointed to exercise the powers and perform the functions of the Gram Panchayats and its Sarpanch and Executive Authority, such Special Officer shall be given the aforesaid opportunity and the Special Officer shall make his representation within a period of ten days from the date of receipt of the show-cause notice after taking into consideration the views expressed by the members of the Gram Sabha at a special meeting convened for the purpose;

Provided, further that if no reply to the show cause notice from the Gram Panchayat or the Special Officer is received within the period aforesaid, the Commissioner shall pass such orders as deemed fit to give effect to the proposal.

10. Where a notification for the declaration of a village has been issued by the Commissioner, it shall be open to any Gram Panchayat affected to prefer revision petition to the Government through the Commissioner, within fifteen days from the date of publication of such notification and the

Government, may pass such orders thereon as they may deem fit.

11. The name of the village to be specified under sub-section (1) of section 3 of the Act, shall be the name of revenue village or hamlet or any part of revenue mandal comprising the village having the largest population.

12. (1) It shall be competent for the Commissioner to cancel a notification under clause (f) of sub-section (2) of section 3, in the following circumstances namely:-

(i) Where it is proposed to constitute a municipality or a notified area under section 389-A of the Andhra Pradesh Municipalities Act, 1965, or a Municipal Corporation for a village for group of villages or part thereof declared as village under sub-section (1) of section 3 of the Act;

(ii) Where a village declared under sub-section (1) of section 3 or part thereof is proposed to be merged in a neighbouring Municipality or Municipal Corporation or a Notified Area constituted under section 389-A of the Andhra Pradesh Municipalities Act, 1965, and the residuary area is not, in the opinion of the Commissioner, a viable unit for continuing as a Gram Panchayat;

(iii) Where the revenue village or part thereof declared as a village under sub-section (1) of section 3 of the said Act ceases to be a revenue village due to submersion or depopulation and the necessity for a Gram Panchayat ceases;

(iv) Where it is found in the actual working that the Gram Panchayat for the village declared under sub-section (1) of section 3 cannot function efficiently as a viable unit of local self-Government;

(2) The Commissioner shall, before issuing a notification under clause (f) of sub-section (2) of section 3 of the Act, give to the Gram Panchayat, which will be affected by the issue of such notification, an opportunity of showing cause against the proposal to indicate its decision within a period of ten days from the date of receipt of the show cause notice and consider the objections if any, of such Gram Panchayat;

Provided that if no reply to the show cause notice from the Gram Panchayat is received within the period aforesaid, the Commissioner shall pass such orders as deemed fit, to give effect to the proposal.

Powers shall be vested with Government for relaxation of rules contained in this order.

G. SUDHIR,
Secretary to Government and
Financial Commissioner.

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