



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

No. 2] AMARAVATI, WEDNESDAY, 1st FEBRUARY, 2023.

ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,

The following is the authoritative text in English Language of the Ordinance promulgated by the Governor on the 28th January, 2023 is being published under Article 348(3) of the Constitution of India for general information:-

ANDHRA PRADESH ORDINANCE No. 2 OF 2023.

Promulgated by the Governor in the Seventy fourth year of the Republic of India.

AN ORDINANCE FURTHER TO AMEND THE ANDHRA PRADESH RIGHTS IN LAND AND PATTADAR PASS BOOKS ACT, 1971.

Whereas the State Government has undertaken comprehensive review of the existing ROR Act limited to and in relation to the lands in the village and have also introduced provisions to empower the respective competent authority to issue documents of title and possession including limits of certificate of ownership in regard to all lands, including non- agricultural lands and Gramakantam lands within a village;

And whereas, the corresponding provisions are also required to be introduced in respect of the lands in the limits of urban Local Bodies. This is so in view of the fact that the owners of land/buildings within the limits of ULBs, save and except for the property tax receipts, do not have any documents certifying their ownership or As the

ownership and possession which are required to be collated for the purposes of computing property tax are drawn from various revenue authorities. However, in order to empower the Urban Local Bodies to have an in-house process of issuance of certificates ownership, from the records which are available with the revenue establishment of the State the present proposed statutory amendments are necessary to be made;

And whereas, while providing for similar measures in respect of lands in villages, including for agricultural and non- agricultural lands, appropriate provisions, machinery and procedures have been created in pursuance of amending Act 33 of 2021 and the further amendments proposed under this proposal to secure its application mutatis mutandis to the Urban Local Bodies also;

And whereas, it has come to the notice that the Hon'ble High Court in Ratnamma Vs RDO Dharmavaram case in WP 21689 of 1999 has observed that the action under section 5 and 6A of the Act or not single and mutually dependent and hence remedy of appeal under Sec 6A which is not so far not available shall be provided in the Act;

And whereas, in tune with the observations of the orders of the Hon'ble High Court apart from proposing appeal provision on the issue of Pattadar Pass Book as observed by Hon'ble High Court, to dispel any ambiguity in regard to appeal to the Revenue Divisional Officer on the orders issued by the Tahsildar, on any of the provisions of the Act, it is proposed to insert as new sub section to section 6A of the Act;

And whereas, to give effect to the above decision, it has been decided to amend the Andhra Pradesh Rights in Land And Pattadar Pass Books Act, 1971, suitably;

As the Legislature of the State of Andhra Pradesh is not now in session and the Governor of Andhra Pradesh is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Andhra Pradesh hereby promulgates the following Ordinance:-

1. (1) This Ordinance may be called the Andhra Pradesh Rights in Land and Pattadar Pass Books (Amendment) Ordinance, 2023.

(2) It shall come into force at once.

2. In the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, (herein after referred to as the principal Act), in section 2,-

Amendment of
Section 2.

Act No.26 of
1971.

(i) after clause (1) (f), the following shall be added, namely, -

“Certificate of Ownership” means the certificate of Ownership issued under Sec 6A for

1. The lands located in the Gramakantam and non-agricultural lands in the village and/or
2. Lands located in the Urban Local Bodies.

(ii) The existing clause (4a) shall be renumbered as clause (4b).

(iii) Before the clause (4b), as so renumbered, the following clause shall be inserted namely, -

“Land in Urban Local Body” means land, including building thereon, agricultural and non-agricultural lands located within the limits of the urban local body.

Explanation:- The term Building shall be assigned the same meaning as contained under respective enactments under which Urban Local Bodies are constituted.

(iv) After clause (11), the following shall be inserted namely,-

“(11a). “Urban Local Body” means the areas comprising of “Municipality” “Nagar Panchayat” “Local Area” “Transitional Area” as defined in Andhra Pradesh Municipalities Act, 1965 and the area comprising of “Larger Urban Area” “Corporation” as defined in Andhra Pradesh Municipal Corporations Act, 1994, Vijayawada Municipal Corporation Act, 1981 and Visakhapatnam Municipal Corporation Act, 1979.”.

3. In the principal Act, after section 3A, the following shall be added, namely, -

Amendment of
Section 3B.

“3B. The procedure prescribed under sub-section (1) and (2) of section 3 Mutatis Mutandis shall be followed for preparation and updating of Record of Rights in all lands in Urban Local bodies and as further prescribed.”.

4. In the principal Act, in section 4, after sub-section (3), the following shall be added, namely:-

Amendment of
section 4.

“(4). Acquisition of rights in land in urban local body to be intimated:

The acquisition of rights in respect of ownership of land in Urban Local Body shall be intimated to the Tahsildar within Sixty(60) days from the date of such acquisition and the said Tahsildar shall give or send a written acknowledgement of the receipt of such intimation to the person making it.”.

Amendment of
Section 6A.

5. In the principal Act, in section 6A, after sub-section(5), the following shall be added, namely,-

“6A (6). Any person claiming title deed cum pass book of any agricultural land or certificate of Ownership of non-agricultural land and buildings in the limits of urban local body shall make the application as prescribed in Section 6A (1) and 6A (2), which shall be acted upon in the manner prescribed under the Act and the Rules.”.

“6A (7). An appeal against any order passed by the Tahsildar under this Section lies to the concerned Revenue Divisional Officer within Thirty (30) days of the date of communication of the order.”.

Amendment of
Section 9.

6. In the principal Act, in section 9, after the expression “section 3,5,5A or 5B”, the expression “and 6A” shall be added.

Amendment of
Section 11(2)(bb).

7. In the principal Act, in section 11 (2) (bb), after the words “title deeds and pass books” the words “and certificate of ownership” shall be added.

Addition of
section 11A.

8. In the principal Act, after section 11, the following shall be added namely,-

“11A. Notwithstanding anything contrary contained in any law for the time being in force governing the urban and rural local bodies in the State, the provisions of the Act, shall apply in regard to matters specifically provided for under this Act.”.

BISWA BHUSAN HARICHANDAN,
Governor of Andhra Pradesh.

G. SATYA PRABHAKARA RAO,
Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.