

The AP District Formation Rules

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THE ANDHRA PRADESH DISTRICTS (FORMATION) RULES, 1984

[G.O.Ms.No. 605, Revenue (U), dated 4th April, 1984]¹

In exercise of the powers conferred by sub-section (1) of Section 4 of the Andhra Pradesh Districts (Formation) Act, 1974 (Act 7 of 1974) and in supersession of the Andhra Pradesh Districts (Formation) Rules, 1974 issued with G.O.Ms.No. 529, Revenue, dated the 22nd April, 1975 and published at Pages 1-7 of the Rules supplement to Part-I, Extraordinary of the Andhra Pradesh Gazette, dated the 25th April, 1975, the Governor of Andhra Pradesh hereby makes the following rules, namely:—

2. They shall come into force on the 4th day of April, 1984.

RULES

1. Short title:—

These rules may be called the Andhra Pradesh Districts (Formation) Rules, 1984.

2. Definitions:—

In these rules:

(i) "Act" means the Andhra Pradesh District (Formation) Act, 1974. (ii) "Collector" means the Collector incharge of a revenue district, (iii) "Form" means form appended to these rules, (iv) "Mandal" means a part of the district, within a revenue division

under the charge of a Tahsildar or Deputy Tahsildar. (v) "Revenue Division" means a part of the district comprising of one

or more mandals under the charge of a Revenue Divisional Officer/Sub-Collector/Assistant Collector or any other officer

placed incharge of a division, (vi) "Village" means a settlement or locality or area consisting of cluster of habitations and the land belonging to their proprietary inhabitants and includes, a town or city and a hamlet (Mazra).

3. Matters of consideration in formation of districts etc.:—

(1) Where any action is proposed to be taken by the Government under sub-section (1) or sub-section (2) of Section 3 of the Act or by the Commissioner of Land Revenue under sub-section (4) of that Section, the Government or the Commissioner of Land Revenue, as the case may be, shall take into consideration as far as may be the following matters and the views of the Collectors of the districts and of such other authorities as the Government may consider necessary:—

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1. Published in A.P. Gazette R.S. to Part-I (Extra.), dt. 16-4-1984.

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- (i) Area, population, demand under the land revenue and other revenues in respect of areas affected by the proposals:
 - (ii) Historical association, Geographical contiguity, Physical features, common interests and problems, Cultural and Educational requirements, Infrastructural facilities and economic progress of the areas.
 - (iii) Development of the area concerned, having regard to the various developments and welfare schemes undertaken or contemplated by the Government in relation to those areas;
 - (iv) Administrative convenience and better administration; and
 - (v) interest of economy.
- (2) With regard to any proposals for alteration of the name of the district revenue division, mandal or a village regard shall be had among other matters, to the following namely:—
 - (i) Historical association, if any, of the existing name, with the proposed change; and (ii) the need for change of name if any proposed.
- (3) In matters concerning sub-section (1) or sub-section (2) of Section 3 of the Acts the Collector concerned shall forward to the Government his report with his views together with the record of enquiry if any for the consideration of the Government. If after such consideration the Government so decides, a preliminary notification under sub-section (5) of Section 3 of the Act inviting objections or suggestions to the proposals from the persons residing in the area/areas which are likely to be affected thereby, shall be issued.
- (4) In matters concerning sub-section (4) of Section 3 of the Act, the Collector concerned shall forward to the Commissioner of Land Revenue his report together with the record of inquiry if any with his views for the consideration of the Commissioner. If after such consideration the Commissioner of Land Revenue so decides, a preliminary notification under sub-section (4) of Section 3 of the Act inviting objections or suggestions to the proposals from the persons residing in the area/areas which are likely to be affected thereby shall be issued.

4. Publication of preliminary notification:—

- (1) The preliminary notification referred to in sub-rule (3) or (4) of Rule 3 inviting objections or suggestions thereon shall be in Form I and shall be published in the Andhra Pradesh Gazette and the District Gazettes of the district/or districts affected by the proposal and shall also be displayed at the village chavidi, offices of GramPanchayat, Panchayat Samithi and on the notice boards of the Offices of the Revenue Divisional Officer/Sub-Collector/Assistant Collector/Collectorate and Zilla Parishad.

- (2) Any person affected by the proposal may within ¹ [30 day's] from the date of publication of the notification referred to in sub-rule (1) above communicate his objections or suggestions thereto to the Secretary to the Government in the Revenue Department or to the Commissioner of Land Revenue, as the case may be, through the Collector of the district concerned, who shall forward the same with his remarks to the Government or the Commissioner of Land Revenue as the case may be.

CASE LAW

Rules 4 and 5 of the Rules under the Act – Preliminary Notification published by Government relating to formation of a Mandal with its headquarters. Final Notification of formation of the Mandal with a different headquarters – Not illegal. *Gram Panchayat, Chinna Maddur vs. Gout, of A.P., 1986 (1) ALT 48 (NRC) = 1986 (1) An. WR 362.*

5. Publication of final notification:—

The Government or the Commissioner of Land Revenue, as the case may be, having regard to the suggestions or objections referred to under Rule 4 either confirm the preliminary notification or issue it with such modification/modifications as may be necessary and publish it in Forms II or III, as the case may be, under sub-sections (1), (2) or (4) of Section 3 of the Act in Andhra Pradesh Gazette and in the District Gazette concerned.

FORM I

(See Rule 3)

Under Sub-Section (5) of Section 3 of the Andhra Pradesh (districts) Formation) Act, 1974 (Act 7 of 1974) notice is hereby given to all concerned that the Government in the interest of better administration and development of the area concerned propose to form a new district/revenue division/ mandal as set out in the schedule hereto appended/to increase the areas/ diminish the areas of/alter the boundaries of/alter the name of district/ revenue division/mandal as detailed in the schedule hereto appended

²[x x x] or

The Commissioner of Land Revenue in the interests of better administration and development of the areas concerned proposes to group or amalgamate certain revenue villages/portions of certain revenue village to form a new revenue village/divide a revenue village/increase the area of/ diminish the area of/certain revenue villages. Alter the boundaries of certain revenue villages/alter the name of certain revenue villages as set out in detail in the schedule appended hereto.

Objections or suggestions are invited on the above proposal from all persons residing within the district/revenue division/mandal/ or village who are likely to be effected there by for being taken into consideration by the Government/Commissioner of Land Revenue.

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1. Subs, by G.O.Ms.No. 61 Rev. (Mandals II), dt. 1-2-1988 and again by G.O.Ms. No.1012, Rev. (Mandals II), dt. 8-11-1991.
2. Certain words omitted by G.O.Ms. No. 1219, Rev. (Mandals), dt. 29-10-1985.

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All objections and suggestions should be in writing in English or Telugu and should be addressed to the Collector (by designation) within whose jurisdiction the area lies so as to reach the office of the Collector on or before expiry of ³[30 days from the date of publication of this notification.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Secretary to Government of A.P.

Revenue Department. Secretary to the Commissioner of Land

Revenue.

FORM II

(See Rule 5) (Final Notification by Government)

In exercise of the powers conferred by sub-section (1) of Section 3, subsection (2) of Section 3 of the Andhra Pradesh Districts (Formation) Act, 1974 (Act No. 7 of 1974) read with sub-section (6) of the said section, the Governor of Andhra Pradesh, in the interests of better administration and development of the area concerned, after having published proposals in that regard as required under sub-section (5) of Section 3 of the Andhra Pradesh Districts (formation) Act, 1974 (Act No. 7 of 1974), and having taken into consideration the objections and suggestions received thereon all persons in the areas concerned and likely to be affected thereby, do hereby notify that,

With effect on and from (date) the State/District/Revenue Division/ Mandal shall consist of the districts/Revenue Divisions/Mandals/Villages specified in the schedule I hereto appended.

OR

there shall be formed a new district/revenue division/mandal as specified in the schedule I hereto appended.

OR

the area comprising the districts/revenue division/mandal shall be increased/ diminished as specified in the schedule I hereto appended the boundaries of the district/revenue division/mandal shall be altered as specified in the schedule I hereto appended.

the name of the district/revenue division/mandal shall be altered as specified in the schedule I hereto appended.

And it is further ordered that the supplemental, incidental, and consequential provisions specified in schedule II hereto appended shall come into force with effect on and from (date) in relation to the district/revenue division/mandal/ village specified in Schedule-I.

SCHEDULE -I SCHEDULE - II

Secretary to Government of A.P. Revenue Department.

FORM – III*(See Rule 5)* **(Final notification by the Commissioner of Land****Revenue)**

In exercise of the powers conferred by sub-section (4) of Section 3 of the Andhra Pradesh Districts (Formation) Act, 1974 (Act 7 of 1974) the Commissioner of Land Revenue.

In the interests of better administration and development of the areas concerned after having published proposals in that regard as required under sub-section (5) of Section 3 of the Andhra Pradesh Districts (Formation) Act, 1974 (Act of 1974), and having taken into consideration the objections and suggestions received thereon from all persons in the areas concerned and likely to be affected thereby.

do hereby notify that with effect from the date of publication of this notification in the Andhra Pradesh Gazette.

the revenue villages/part of revenue villages specified in the schedule I, appended hereto shall be grouped, amalgamated or/and formed into a single new revenue village as specified in the said schedule I the revenue village

of..... in..... mandalin.....

District shall be divided to form new revenue villages as specified in the schedule I hereto appended.

OR

the (area) or (boundaries) of the revenue village..... Mandal
in..... District shall be (increased/diminished) or (altered) as
specified in the schedule I hereto appended.

OR

the name of revenue village in more Mandal District shall be altered as specified in the Schedule hereto appended.

And it is further ordered that the supplemental, incidental and consequential provision specified in the schedule II hereto appended shall apply in relation to the village specified in Schedule I.

SCHEDULE – I SCHEDULE – II

Secretary, for and on behalf of the Commissioner of Land Revenue, Andhra Pradesh.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA
PRADESH)

B.N. JAYASIMHA, Principal Secretary to Government.