

ANDHRA PRADESH GOVERNMENT LANDS AND BUILDINGS (TERMINATION OF LEASES) RULES, 1986

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ANDHRA PRADESH GOVERNMENT LANDS AND BUILDINGS (TERMINATION OF LEASES) RULES, 1986

In exercise of the powers conferred by sub section (1) of Section 12 of the Andhra Pradesh Government Lands, and Buildings (Termination of Leases) Act, 1986 (Andhra Pradesh Act 18 of 1986), the Governor of Andhra Pradesh hereby makes the following rules:

1. Short title :-

These rules may be called the Andhra Pradesh Government Lands and Buildings (Termination of Leases) Rules, 1986.

2. Definitions :-

In these rules, unless the context otherwise requires,

(a) "Act" means the Andhra Pradesh Government Lands and Buildings (Termination of Leases) Act, 1986;

(b) "Form" means a Form appended to these rules;

(c) "rent" in relation to any demised premises, land or building, means the consideration payable periodically for the authorised occupation of the premises and includes,

(i) any charges for electricity, water or any other services in connection with the occupation of the premises;

(ii) any tax (by whatever name called) payable in respect of the premises, where such charges or tax is payable by the Government;

and

(iii) Mandal Revenue Officer means an Officer appointed as such by Government to be the officer incharge of any Revenue Mandal in the State.

3. Form of the Notice under Section 3 of the Act :-

A notice under Section 3 shall be in the Form With such modifications as may be considered necessary. * [The period of notice under this rule shall not be less than 30 clear days.]

4. Manner of Service of Notice :-

(1) Where a notice is required under Section 3 to be served on a person whose address is known, it shall be served on him personally or through registered post, acknowledgment due and when he could not be so served by reason of his absence at the address or of his evading such service, the notice shall be affixed on a conspicuous part of the building or a last known place of business or occupation of such person and a certificate to this effect shall be taken from any adult member available at that place at the time of affixture, and the certificate shall constitute evidence of the notice having been served on the lessee.

(2) The Government shall also cause a proclamation by beat of drum to be made of the contents of any notice * [under sub section (3) of Section 4]in the locality.

5. Lessee to vacate premises on service of Notice :-

Where a notice Section 3 is served on a lessee, he shall vacate the premises or land within one hundred and eighty days and deliver possession thereof as required by Sections 3 of the Act.

6. Manner of taking possession of public premises :-

(1) If after, the expiry of the period specified in rule 5, the lessee fails to vacate the premises, the Estate Officer Mandal Revenue Officer, as the case may be, shall serve an order of eviction under Section 5 (1) of the Act in Form B calling upon the person or persons concerned to hand over the said premises within the time specified therein, which shall not exceed thirty days.

(2) Where a building is forced open and an inventory of the articles is prepared under sub section (3) of Section 5, the articles so taken possession of shall be kept in a separate room duly locked and sealed. A notice in Form C shall be given to the person persons of

the above action directing them to take charge of the articles within three months of the service of notice.

(3) In case the person persons concerned approach the Estate Officer Mandal Revenue Officer within three months,the articles so taken possession of shall be handed over,after the rent for the portion or portions where such articles are stored is collected as fixed by the Executive Engineer,(Roads and Buildings) concerned.

(4) If the articles taken possession of under sub rule (2) are not claimed within a period of three months,the Estate Officer Mandal Revenue Officer may dispose of the articles through public auction, after giving due publicity in a leading News Paper having circulation in that town or city and one local newspaper.

(5) The amount so realised shall be credited to the relevant account or the State Government after deducting all the expenditure,incurred for storage,publicity, auctioning etc.

7. Compensation payable :-

The solatium payable under Section 6 shall be paid to the lessee by the Government through a cheque within a month from the date of taking possession of the premises,after deducting the expenditure; if any, incurred for evicting the lessee and any amount due to the Government by way of arrears of rent.