

**Andhra Pradesh Municipal Laws (Second Amendment) Act,
1994**

17 of 1994

[02 May 1994]

CONTENTS

1. Short title and Commencement
2. Amendment of Act VI of 1965
3. Amendment of Act II of 1956
- 4 . Application of section. 3 to Visakhapatnam and Vijayawada Municipal Corporations
5. Transitional provisions in regard to elections

**Andhra Pradesh Municipal Laws (Second Amendment) Act,
1994**

17 of 1994

[02 May 1994]

PREAMBLE

AN ACT FURTHER TO AMEND THE ANDHRA PRADESH MUNICIPALITIES ACT, 1965 AND THE HYDERABAD MUNICIPAL CORPORATIONS ACT, 1955.

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Forty-fifth Year of the Republic of India as follows:-

* Received the assent of the Governor on the 30th April, 1994. For Statement of objects and Reasons, please see Andhra Pradesh Gazette, Part IV-A, Extra-ordinary, dated the 29th December, 1993 at Page 20.

1. Short title and Commencement :-

(1) This Act may be called the Andhra Pradesh Municipal Laws (Second Amendment) Act, 1994.

(2) It shall come into force on such date as the State Government may, by notification in the Andhra Pradesh Gazette appoint and

they may appoint different dates for different provisions.

2. Amendment of Act VI of 1965 :-

In the Andhra Pradesh Municipalities Act, 1965,-

(1) in section 2, -

(a) for clause (12), the following clause shall be substituted, namely:-

"(12) election authority" means such officer or authority as may be appointed by the State Election Commission to exercise such powers and to perform such functions in connection with the conduct of elections to the Municipalities;"

(b) after clause 15, the following clause shall be inserted, namely:-

"(15-a) Finance Commission means the Finance Commission constituted by the Governor under article 243-I of the Constitution of India;"

(c) after clause 22, the following clause shall be inserted, namely:-

"(22-a) Nagar Panchayat means a body deemed to have been constituted under section 2A, for a transitional area specified by the Governor under Clause (42-a);"

(d) after clause (39), the following clause shall be inserted, namely:-

"(40) State Election Commission means the State Election Commission constituted in pursuance of article 243-K of the Constitution of India;"

(e) after clause (42), the following clauses shall be inserted, namely:-

"(42-a) transitional area or a smaller urban area means such area as the Governor may, having regard to the population of the area, the density of the population therein, the revenue generated for local administration, the percentage of employment in non-agricultural activities, the economic importance or such other factors as he may deem fit, specify by public notification for the purposes of this Act, subject to such rules as may be made in this behalf;

(42-b) Wards Committee means a Wards Committee constituted under section 5B;"

(2) after section 2, the following section shall be inserted, namely:-

2A "Constitution of Nagar Panchayats.--(1) Where an area is specified as a transitional area under clause (42-a) of section 2, a Nagar Panchayat shall be deemed to have been constituted for such transitional area.

(2) The provisions of this Act shall apply to a Nagar Panchayat deemed to have been constituted under this section as they apply to a Municipality and to facilitate such application a Nagar Panchayat shall be deemed to be a Municipality;"

(3) for section 3, the following section shall be substituted, namely:-

3. "Constitution of municipalities.--(1) Where a notification is issued specifying an area as a smaller urban area under clause (42-a) of section 2, a Municipality shall be deemed to have been constituted for such area:

Provided that a Municipality under this clause may not be constituted in such urban area or part thereof as the Governor may, having regard to the size" of the area of the Municipal Services being provided or proposed to be provided by an industrial establishment in that area and such other factors as he may deem fit, by public notification, specify to be an Industrial Township.

(2) Where any local area which is within "the jurisdiction of any other local authority is constituted as or included in a Municipality, the Government may pass such orders as they may deem fit as to the transfer to the council of such Municipality, or disposal otherwise, of the assets or institutions of any such local authority in the local area and as to discharge of the liabilities, if any, of such local authority relating to such assets or institutions.

(3) Where any local area is excluded from a Municipality and included within the jurisdiction of any other local authority, the Government may pass such orders as they deem fit, as to the transfer to such local authority or disposal otherwise, of the assets or institutions of such Municipality in the local area and as to the discharge of the liabilities, if any, of such municipality relating to such assets or institutions.

(4) Every local area which at the commencement of the Andhra Pradesh Municipal Laws (Second Amendment) Act, 1994 has been constituted into a Municipality shall be deemed to have been specified as a smaller urban area under clause (42-a) of section 2 and a Municipality of the same grade existing as at such commencement shall be deemed to have been constituted under this Act."?

(4) in section 4, after item (c), the following item shall be added, namely:-

"(d) the Wards Committee."

(5) for section 5, the following section shall be substituted,

namely:-

5. "Constitution of Municipal Council.--(1) There shall be constituted for each Municipality a body of members to be called the Municipal Council having authority over the Municipality.

(2) The Council shall consist of the following members, namely:-

(i) such number of elected members as may be notified from time to time by the Government in the Andhra Pradesh Gazette, in accordance with such principles as may be prescribed:

Provided that the number of members to be elected in respect of each Council existing at the commencement of the Andhra Pradesh Municipal Laws (Second Amendment) Act, 1994 shall be as it stood at such commencement until such number is revised by the Government in accordance with the principles prescribed;

(ii) every Member of the Legislative Assembly of the State representing a constituency of which a Municipality or a portion thereof forms part:

Provided that a Member of the Legislative Assembly representing a constituency which comprises more than one Municipality including a part of any Municipality, shall be ex-officio member of one such Municipality which he chooses; and he shall also have the right to speak in and otherwise to take part in the proceedings of any meeting of the other councils comprised within the constituency, but shall not be entitled to vote at any such meeting;

(iii) every member of the House of the People representing a constituency of which a Municipality or a portion thereof forms part:

Provided that a member of the House of the People representing constituency which comprises more than one Municipality including

a part of any Municipality, shall be the member of one such Municipality which he chooses; and he shall also have the right to speak in and otherwise to take part in the proceedings of any meeting of the other councils comprise within the constituency but shall not be entitled to vote at any such meetings;

(iv) every Member of the Council of States registered as an elector within the Municipality ex-officio;

(v) persons having special knowledge or experience in municipal administration co-opted by the Municipal Council whose number shall be one in the case of a Nagar Panchayat two in the case of a Municipality having population of less than three lakhs and three in the case of a Municipality having a population of three lakhs or more:

Provided that the member co-opted under this clause shall have the right to speak in and otherwise to take part in the meetings of Nagar Panchayat or the Municipality, as the case may be, but shall not have the right to vote;

(vi) one person belonging to minorities to be co-opted in the prescribed manner by the members specified in clauses (i) to (iv) from among the persons who are registered voters in the Municipality and who are not less than twenty-one years of age:

Provided that the member co-opted under this clause shall have the right to speak in and otherwise to take part in the meetings of the Nagar Panchayat or the Municipality, as the case may be, with the right to vote.";

(6) after section 5A the following section shall be inserted, namely:-

5B "Constitution, powers and functions of the Wards Committees.--

(1) In respect of a Municipality having population of three lakhs or more there shall be constituted by the Commissioner and Director of Municipal Administration, by order, such number of Wards Committees as may be determined by him, so however, that each wards Committee shall consist of not less than five wards:

Provided that in constituting Wards Committees, the Commissioner shall maintain geographical contiguity as far as possible;

Provided further that the Commissioner and Director of Municipal Administration may in respect of municipalities having population of less than three lakhs constitute Wards Committees subject to such conditions and in accordance with such rules as may be made in this behalf.

(2) Each Wards Committee shall consist of the members elected from the wards for which the Wards Committees is constituted:

Provided that such officers of the Municipality as the Commissioner may specify shall attend the meetings of the. Wards committee, and shall have the right to speak in and otherwise to participate in the meetings of the wards: Committee; but shall not have the right to vote.

(3) The Chairperson of the Wards Committee shall be elected by the members thereof from among themselves in the; prescribed manner He shall hold office for a period of one year from the date of election and shall be eligible for reelection.

(4) The Chairperson shall cease to hold office if he ceases to be a Member of the Wards Committee, Any casual vacancy in the office of the Chairperson shall be filled by election of another Chairperson from among the elected members of the Wards Committee as soon as may be after the occurrence of the vacancy.

(5) The powers and functions of the Wards Committee and the

manner of conduct of business at its meetings shall be such as may be prescribed."

(7) in section 7,-

(i) in sub-section (1,) for the words "its Chairman", the words "its Chairperson its Wards Committees" shall be substituted;

(ii) in sub-section (3), for the words "of the Chairman until a Chairman has been elected by the council", the words "of the Chairperson until a Chairperson is elected, of the wards Committees until the wards Committees are constituted", shall be substituted;

(iii) for sub-section (5), the following sub-section shall be substituted, namely:-

"(5) The term of office of the elected Councillors and the Chairperson of a Municipality referred to in sub-section (1) shall be co-terminus with the elected councillors and the chairpersons of the Municipalities in the State elected" in the last preceding ordinary elections.";

(8) for section 8, the following section shall be substituted, namely:-

8. "Reservation of seats.--

(1) In every Municipality, out of the total strength of elected members determined under section 5, the Government shall, subject to such rules as may be prescribed, by notification, reserve,-

(a) such number of seats to the Scheduled Castes and Scheduled Tribes as may be determined by them, subject to the condition that the number of seats so reserved shall bear, as nearly as may be,

the same proportion to the total number of seats to be filled by direct election to the Municipal Council, as the population of the Scheduled Castes, or as the case may be, of the Scheduled Tribes in that Municipality bears to the total population of that Municipality; and such seats may be allotted by rotation to different Wards in a Municipality;

(b) one third of the total number of seats to the Backward Classes and such seats may be allotted by rotation to different wards in the Municipality;

(c) not less than one-third of the total number of seats reserved under clauses (a) and (b) for women belonging to the Scheduled Castes, Scheduled Tribes or as the case may be, the Backward Classes;

(d) not less than one. third (including the number of. seats reserved for women belonging to the Scheduled Castes, Scheduled Tribes and Backward Classes) of the total number of seats to be filled by the direct election to every Municipal. Council, for women and such seats may be allotted by rotation,-to different Wards in a Municipality.

Explanation- I: in this section the. expression "Scheduled Castes, Scheduled Tribes" shall have the meanings respectively assigned to them in the clause (24) and clause (25) of article 366 of the Constitution of India,

Explanation:- For the purpose of reserving the offices of members to Backward Classes under this section, the population figures of Backward Classes shall be gathered by such authority and in such manner as may be prescribed.

(2) Nothing in sub-section (1) shall be deemed to prevent women and members of the Scheduled Castes, Scheduled Tribes or Backward Classes from standing for election to the non-reserved seats in the Municipality.";

(9) after section 10, the following section shall be inserted:-

10-A. "State Election Commission.--The preparation of electoral rolls for, and the conduct of elections to, all municipalities in the State shall be under the superintendence, direction and control of the State Election Commission.":

(10) after section 13, the following sections shall be inserted, namely:-

13-A. "General qualification--A person shall be disqualified for being chosen as, or for being a member of a Municipality if he is disqualified by or under any law for the time being in force for the purpose of elections to the legislature of the State concerned:

Provided that no person shall be disqualified on the ground that he is less than twenty five years of age, if he has attained the age of twenty one years.

13-B. Persons having more than children to be disqualified--A person having more than two children shall be disqualified for election or for continuing as member:

Provided that the birth within one year from the date of commencement of the Andhra Pradesh Municipal Laws (Second Amendment) Act 1994 (hereinafter in this section referred to as the date of such commencement) of an additional child shall not be taken into consideration for the purposes of this section:

Provided further that a person having more than two children (excluding the child if any born within one year from the date of such commencement) shall not be disqualified under this section for so long as the number of children he had on the date of such commencement does not increase:

provided also that the Government may direct that the disqualification in this section shall not apply in respect of person for reasons to be recorded in writing.";

(11) in section 17, in sub-section (1) for the expression "section 13", the expression "section 13, section 13-A, section 13-B" shall be substituted.;

(12) in section 20, for sub-section (2) the following sub-section shall be substituted, namely:-

."(2) ordinary vacancies in the office of the membrs shall be filled at ordinary elections which shall be completed before the expiry of the term of office of the memebrs.

(13) in section 23,-

(a) in sub-section (1),-

(i) in clause (b), the second, third, fourth, fifth and sixth provisos shall be omitted;

(ii) after clause (b), the following clause shall be inserted, namely:-

"(c) out of the total number of offices of chairperson in the State, the Government shall, subject to such rules as may be prescribed, by notification reserve,--

(i) such number of offices to the Scheduled Castes and Scheduled Tribes as may be dertermined subject to the condition that the number of offices so reserved shall bear, as nearly as may be, the same proportion to" the total number of offices to be filled in the State as the population of the Scheduled Castes or Scheduled Tribes, as the case may be, in the Municipalities of the State bears to the total population in the Municipalities of the State and such

offices may be allotted by rotation to different Municipalities in the State;

(ii) one third of the offices to the Backward Classes and such offices may be allotted by rotation to different Municipalities in the States

(iii) not less than one third of the total number of offices reserved under clauses (i) and (ii) for women belonging to the Scheduled Castes Scheduled Tribes, or as the case may be Backward Classes: and

(iv) not less than one third (including the number of offices reserved for women belonging to the Scheduled Castes, Scheduled Tribes and the Backward Classes) of the total number of offices to be filled in the States for women; and such offices may be allotted by rotation to different Municipalities in the State";

(b) in sub-section (6), for the expression "sections 14 to 19", the expression "sections 13A to 19" shall be substituted:

(14) in section 62,--

(a) in sub-section (1), for the words, "two years", the words "six months" shall be substituted;

(b) sub-section (2) shall be omitted;

(c) in sub-section (3), for the words, "ordinary vacancies", the words "casual vacancies", shall be substituted;

(d) in sub-section (4),--

(i) at the end of the opening paragraph, the words "and the Chairperson of the Municipality concerned shall also be given a

reasonable opportunity of being heard", shall be added;

(ii) the proviso thereunder shall be omitted;

(e) in sub-section (6), for the words "and of its Chairman", the words "and of its Chairperson and Wards Committees" shall be substituted;

(f) for sub-section (7), the following sub-section shall be substituted, namely:-

"(7) The Members including the ex-officio members of the reconstituted Council shall enter upon their office on the date fixed for its reconstitution and the term of office of the elected members shall continue only for the reminder of. the. period for which the dissolved Municipality would have continued had it not, been dissolved";

(g) to sub-section (8), for following proviso shall be added, namely:-

"Provided that where the reminder of the period for which the dissolved Municipality would have continued is less than six months, it shall not be necessary to hold any elections under this clause for constituting the Municipality for such period."

(15) section 62A shall be omitted;

(16) after section 132, the following section shall be inserted, namely:-

132A "Finance Commission.--(1) The Finance Commission constituted by the Governor in pursuance of article 243-I of the Constitution shall also review the financial position of the Municipalities and make recommendations to the Government as

to,-

(a) the principles which should govern,-

(i) the distribution between the State and the Municipalities of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them under this part and the allocation between, the Municipalities of their respective shares of such proceeds:

(ii) the determination of the taxes, tolls and fees which may be assigned to, or appropriated by the Municipalities;

(iii) the grants-in-aid to the Municipalities from the Consolidated Fund of the State;

(b) the measures needed to improve the financial position of the Municipalities;

(c) any other matter referred to the Finance Commission by the Government in the interests of sound finances of the Municipalities.

(2) The Government shall cause every recommendation made by the Commission under this article together with an explanatory memorandum as to the action taken thereon to be laid before the Legislative Assembly of the State."

(17) throughout the Act for the words, "Chairman", "Councillor" and "Councillors" wherever they occur the words "Chairperson", "Member" and "Members" shall respectively be substituted.

3. Amendment of Act II of 1956 :-

In the Hyderabad Municipal Corporations Act, 1955,--

(1) in section 2,--

(a) for clause (15A), the following clause shall be substituted, namely:-

"(15A) election authority means such officer or authority as may be appointed by the State Election Commission to exercise such powers -and to perform such functions in connection with the conduct of elections to the Municipal Corporations.";

(b) after clause 18, the following clause shall be inserted, namely:-

"(18-a) Finance Commission means the Finance Commission constituted by the Governor under article 243-I of the Constitution of India;"

(c) after clause (51), the following clause shall be inserted, namely:-

"(51-a) "State Election Commission means the State Election Commission constituted in pursuance of article 243K of the Constitution of India;"

(d) after clause (55), the following clause shall be inserted, namely:-

"(55-a) "Wards Committee" means a Wards Committee constituted under section 8A;"

(2) in section 4, after clause (c), the following clause shall be added, namely:-

"(a) the Wards Committee";

(3) in section 5, --

(i) in sub-section (1-A), in the opening paragraph for the words "shall be ex-officio Councillor of the Corporation", the words "and every member of the council of State registered as an elector within the area of the Municipal Corporation shall be ex-officio Councillor of the Corporation" shall be substituted;

(ii) sub-section (1B) shall be renumbered as sub-section (1d) and before the sub-section as so renumbered the following sub-sections shall be inserted, namely:-

"(1B) In addition to the members referred to in sub-sections (1) and (1A) five persons having special knowledge or experience in Municipal Administration co-opted by the Corporation shall be Ex-officio members:

Provided that the ex-officio members co-opted under this sub-section shall have the right to speak in and otherwise to take part in the meetings of the Corporation but shall not have the right to vote.

(1C) Two persons belonging to minorities to be co-opted as members of the Corporation in prescribed manner by the members of the Corporation specified in sub-sections (1) and (1A) from among the persons who are registered voters in the Corporation and who are not less than twenty-one years of age:

Provided that the member co-opted under this section shall have the right to speak in and otherwise to take part in the meetings of the Corporation with the right to vote.";

(iii) in sub-section (1D) as renumbered for the expression "sub-sections (1) and (1A)", the expression "sub-sections (1) (1A) (1B) and (1C) shall be substituted;

(iv) for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) In the Corporation out. of the total strength elected members the Government shall, subject to the rules as may be prescribed, by notification, reserve,-

(a) such number of seats to the Scheduled Castes and Scheduled Tribes as may be determined by them, subject to the condition that the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election to. the Corporation, as the population of the Scheduled Castes, as the case may be the Scheduled Tribes in the Corporation bears to the total population of the Corporation; and such seats may be allotted by rotation by different Wards in the Corporation;

(b) one third of the seats for the members belonging to the Backward Classes; and such seats may be allotted by rotation to different Wards in the Corporations.

Provided that for the purpose of reserving offices of members to the Backward Classes, the population figures of Backward classes shall be gathered by such authority and in such manner as may be prescribed;

(c) not less than one-third of the total number of seats reserved under clauses (a) and (b) for women belonging to the Scheduled Castes, Scheduled Tribes or as the case may be, the Backward Classes;

(d) not. less then one third (including the number of seats reserved for women belonging to the Scheduled Castes, Scheduled Tribes and Backward Classes) of the total number of seats to be filled by direct election to the Corporation shall be reserved for women and such seats may be allotted by rotation to different Wards in a

Corporation,";

(4) after section 8, the following section shall be inserted namely:-

8B Constitution powers and functions of the Wards Committees.--

(1) There shall be constituted by the Government, by order, such number of Wards Committees to the Corporation as may be determined by them, so however, that each Wards Committee shall consist of not less than ten Wards;

Provided that in constituting Wards Committees the Government shall maintain geographical contiguity as far as possible.

(2) Each Wards Committee shall consist of the members elected from the wards for which the Wards Committee is constituted:

Provided that such officers of the Corporation as the Commissioner may specify shall attend the meetings of the Wards Committee and shall have the right to speak in and otherwise to participate in the meetings of the Wards Committee, but shall not have the right to vote.

(3) The Chairperson of the Wards Committee shall be elected by the members thereof from among themselves in the prescribed manner. He shall hold office for a period of one year from the date of election and shall be eligible for re-election.

(4) The Chairperson shall cease to hold office if he ceases to be a member of the Wards Committee. Any casual vacancy in the office of the Chairperson shall be filled by the election of another Chairperson from among the elected members of the Wards Committee, as soon as may be after the occurrence of the vacancy.

(5) The powers and functions of the Wards Committee and the manner of conduct of business at its meetings shall be such as may

be prescribed.";

(5) for section 9, the following section shall be substituted, namely:

9. "State Election Commission.--The preparation of electoral rolls for, and the conduct of elections to Corporation shall be under the superintendence, direction and control of the State Election Commission.";

(6) after section 21, the following sections shall be inserted, namely:-

21A. "General Disqualification.--A person shall be disqualified for being chosen as, or for being a member of a Corporation if he is otherwise disqualified by or under any law for the time being in force for the purposes of elections to the legislature of the State concerned:

Provided that no person shall be disqualified on the ground that he is less than twenty five years of age, if he has attained the age of twenty one years.

21B. Persons having more than two children to be disqualified.--A person having more than two children shall be disqualified for election or for continuing as members

Provided that the birth within one year from the date of commencement of the Andhra Pradesh Municipal Laws (Second Amendment) Act, 1994 (hereinafter in this section referred to as the date of such commencement) of an additional child shall not be taken into consideration for the purposes of this sections

Provided further that a person having more than two children (excluding the child if any born within one year from the date of such commencement) shall not be disqualified under this section for

so long as the number of children he had on the date of such commencement does not increase

Provided also that the Government may direct that the disqualification in this section shall not apply in respect of a person for reasons to be recorded in writing.";

(7) in section 23D, for the expression "section 21" the expression "section 21, section 21A" shall be substituted;

(8) section 70G shall be omitted;

(9) in section 90, in sub-section (5), for the words "ex-officio Councillors, the words "ex-officio members other than ex-officio member specified in sub-section (1B) of section 5" shall be substituted;

(10) for sections 93 to 36 (both inclusive), the following section shall be substituted, namely:-

93."Constitution of the Standing Committee.--(1) There shall be constituted for the Corporation a Standing Committee consisting of the Chairpersons of all the Wards Committees in the Corporation to exercise the powers and perform the functions entrusted to it under this Act.

(2) the Chairperson of the Standing Committee shall be elected by the members thereof from among themselves in the prescribed manner. He shall hold office for a period of one year from the date of election and shall be eligible for re-election.

(3) The Chairperson of the Standing Committee shall cease to hold office if he ceases to be a Member of the Standing Committee. Any casual vacancy in the office of the Chairperson shall be filled by election of another Chairperson from among the members of the

Standing Committee, as soon as may be, after the occurrence of the vacancy,";

(11) after section 196, the following section shall be inserted, namely:-

196A."Finance Commission.--(1) The Finance Commission constituted by the Governor in pursuance of article 243-I of the Constitution shall also review the financial position of the Corporation and make recommendations to the Government as to, -
-

(a) the principles which should govern, --

(i) the distribution between the State and the Corporation of the net proceeds of the taxes, duties, tolls and fees leviable by the State, which may be divided between them under this part and the allocation between the Corporation of their respective shares of such proceeds;

(ii) the determination of the taxes, tolls and fees which may be assigned to, or appropriated by the Corporation;

(iii) the grants-in-aid to the Corporation from the Consolidated Fund of the State;

(b) the measures needed to improve the financial position of the Corporation;

(c) any other matter referred to the Finance Commission by the Government in the interests of sound finances of the Corporation.

(2) The Government shall cause every recommendation made by the Commission under this article together with an explanatory memorandum as to the action taken thereon to be laid before the

Legislative Assembly of the State.";

(12) after section 673, the following section shall be inserted, namely:-

673A "Oath of allegiance to be taken by members.--(1) Every person who is elected to be a member shall, before taking his seat, make at a meeting of the corporation an oath or affirmation of his allegiance to the Constitution of India in the following form, namely:

"I, having become a member of the Corporation swear in the name of God/ solemnly affirm, that I will bear true faith and allegiance to the Constitution of India as by Law established, that I will uphold the sovereignty and integrity of India and that. I will faithfully discharge the duty upon which I am about to enter.

(2) Any such member who fails to make, within three- months from the date on which his term of office commences or at one of the first three meetings held after the said date, whichever is later, the oath of- affirmation laid "-.down in sub-section (1), shall cease to hold office and. his seat shall be deemed to have become vacant.-

(3) No such member shall take his seat, at a meeting of the Corporation or do any act as such member, unless he has made the oath or affirmation as laid down in this section.

(4) Where a person ceases to hold office under sub-section (2) the commissioner shall report the- same to the Corporation at. its next meeting and on application of such person made within thirty days of the date on which he has ceased to be a member under that subsection the Corporation may grant him further time which shall not be less than three months for making the oath or affirmation and if he makes the oath or affirmation within the time so granted, he shall, notwithstanding anything in the foregoing sub-sections, continue to hold the office.";

(13) section 679C shall be omitted:

(14) in section 679D,-

(a) in sub-section (1), for the words "two years", the words "six months" shall be substituted;

(b) sub-section (2) shall be omitted;

(c) in sub-section (3), for the words "ordinary vacancies", the words "casual vacancies" shall be substituted;

(d) in sub-section (4),-

(i) at the end of the opening paragraph, the words "and the Mayor of the Corporation shall also be given a reasonable opportunity of being heard", shall be added;

(ii) the proviso thereunder shall be omitted;

(e) for sub-section (7), the following sub section shall be substituted, namely:-

"(7) The Members including the ex-officio members of the reconstituted Corporation shall enter upon their office on the date fixed for its reconstitution and the term of office of the elected members shall continue only for the remainder of the period for which the dissolved Corporation would have continued had it not been dissolved.";

(f) to sub-section (8), the following proviso shall be added, namely:-

"Provided that where the reminder of the period for which the dissolved Corporation would have continued is less than six months, it shall not be necessary to hold any elections under this clause.";

(15) throughout the Act for the words "Councillor" and "Councillors" the words "Member" and "Members"; for the words "Division" and "Divisions", the words "Ward" and "Wards" and for the words "constituency" and "constituencies" the words "Ward" and "Wards" wherever they occur shall respectively be substituted.

4. Application of section. 3 to Visakhapatnam and Vijayawada Municipal Corporations :-

The Amendments made to the Hyderabad Municipal Corporations Act, 1955 by section 3 shall extend to" and shall apply also to the Visakhapatnam and Vijayawada Municipal Corporations.

5. Transitional provisions in regard to elections :-

The ordinary elections to the Municipal Corporations and the Municipalities whose term of office expired prior to the commencement of the Andhra Pradesh Municipal Laws (Second Amendment) Act, 1994 shall be held within a period of not exceeding one year from the date of the said commencement under the relevant law as amended by this Act.