
**ANDHRA PRADESH MUNICIPALITIES (ADMINISTRATIVE
CONTROL OF CHAIRMAN OF A MUNICIPAL COUNCIL OVER
THE MUNICIPAL COMMISSIONER) RULES, 1977**

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In exercise of the powers conferred by Sub-section (1) of Section 326 of the Andhra Pradesh Municipalities Act, 1965 read with Section 56(4) of the said Act, the Governor of Andhra Pradesh hereby makes the following rules relating to the Administrative Control of the Chairperson Municipal Council over the Municipal Commissioner, the same having been previously published in the Andhra Pradesh Gazette, No. 29 dated the 2nd November, 1972 as required by Clauses (a) and (b) of Sub-section (1) of Section 327 of the Andhra Pradesh Municipalities Act, 1965.

1. . :-

(1) These Rules may be called "The Andhra Pradesh Municipalities (Administrative Control of Chairperson of a Municipal Council over the Municipal Commissioner) Rules, 1977."

(2) They shall come into force at once.

2. Definitions :-

In these rules, unless the context otherwise requires;

(a) "Act" means the Andhra Pradesh Municipalities Act, 1965.

(b) "Chairperson" means the Chairperson of the Municipal Council.

3. . :-

The Chairperson may in the interest of municipal administration, give any lawful instructions to the Commissioner in writing in respect of any matters falling within the scope of Clauses (a) to (c) of sub-section (i) of Section 56 and the Commissioner shall be bound by all such instructions provided that nothing in this rule shall require the Commissioner to do or omit to do anything inconsistent with the provisions of the Act or the rules made thereunder.

4. . :-

In the case of transfer of staff of the municipal council connected with outdoor collection of taxes, if the transfer relates to the transfer and posting of the indoor staff of the main office or the outdoor staff connected with the collection of taxes, the Commissioner shall pass orders only with the concurrence of the Chairperson, municipal council. Where there is disagreement, between the Chairperson and Commissioner in any particular case of transfer the Commissioner shall refer the matter to the Director of Municipal Administration in the case of special or selection grade municipality and to the Deputy Director of Municipal Administration concerned, in the case of any other municipality. The decision of the Director of Municipal Administration or the Deputy Director of Municipal Administration, as the case may be, shall be implemented forthwith by the Commissioner.

5. . :-

Whenever the Commissioner applies for Casual leave he shall simultaneously send a copy of application to the Chairperson for his information.

6. . :-

Application for leave other than Casual leave of the Commissioner shall be routed through the chairperson, who shall forward the same within 3 days of the receipt thereof, to the Director of Municipal Administration. Provided that the Commissioner shall submit a copy thereof to the Director of Municipal Administration direct; Provided further that if the remarks of the Chairperson are not received by the Director of Municipal Administration within one week from the date of receipt of the copy of the application, this rule does not preclude the Director of Municipal Administration to proceed with the copy of the application received on the presumption that Chairperson, has no remarks to offer on that

application.

7. . :-

(i) In the first week of April every year or whenever there is a change in the personnel of the commissioner or where the Collector or the Deputy Director of Municipal Administration vacates the office by transfer or otherwise, as the case may be, he shall write the confidential report on the work of the Commissioner. The Reporting Officer shall obtain a report in the Form (B) for ascertaining the work of the Commissioner from the Chairman of the Municipal Council, whoever was in office for that period who will record his remarks with great care and caution. The report should be sent to the Director of Municipal Administration by the Reporting officers immediately.

(ii) The report should be written or typed, by the Reporting Officer. To facilitate identification, the name of the Reporting Officer should be written in block letters below the signature.

(iii) Adverse remarks should be supported by facts, figures and specific evidentiary examples or instances, as far as possible. Recording of vague impressions shall scrupulously be avoided. The remarks should be substantiated at a later date when challenged or otherwise required. Where there are Deputy Commissioners functioning, similar procedure shall be followed in their cases also.

(iv) While recording censure or any other punishment awarded to the Commissioner, a copy of the letter conveying the censure or other punishments to the Commissioner shall be attached to the confidential report.