

**THE ANDHRA PRADESH SRI SIMHACHALAM VARAHA LAKSHMI
NARASIMHA SWAMY DEVASTHANAM PANCHAGRAMALU
(REGULARIZATION OF OCCUPATIONS OF HOUSES AND HOUSES SITES)
ACT, 2019.**

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(REGULARIZATION OF OCCUPATIONS OF HOUSES AND HOUSES SITES)
ACT, 2019.**

(ACT No.12 of 2019)

[19th February, 2019]

AN ACT TO REGULARIZE THE OCCUPATIONS OF OCCUPANTS ‘BY WAY OF HOUSES AND HOUSE SITES IN THE VILLAGES OF ADAVIVARAM, VENKATAPURAM OF VISAKHAPATNAM (RURAL) MANDAL AND VEPAGUNTA, PURUSHOTTAPURAM AND CHEEMALAPALLI OF PENDURTHI MANDAL CALLED AS “PANCHAGRAMALU” IN VISAKHAPATNAM DISTRICT OF ANDHRA PRADESH STATE DULY COMPENSATING THE DEITY OF SRI SIMHACHALAMVARAHA LAKSHMI NARASIMHA SWAMY DEVASTHANAM.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventieth year of the Republic of India as follows:

**CHAPTER – I
PRELIMINARY**

1. Short title, extent and commencement - (1) This Act May be called The Andhra Pradesh Sri Simhachalam Varaha Lakshmi Narasimha Swamy Devasthanam Panchagramalu (Regularization of Occupations of Houses And Houses Sites) Act, 2019.

(2) It extends to the five (5) Villages viz., Adavivaram, Venkatapuram of Visakhapatnam (Rural) and Vepagunta, Purushothapuram and Cheemalapalli of Pendurthi Mandals of Visakhapatnam District of Andhra Pradesh State.

(3) It shall come into force on such date as the Government may, by notification in the Andhra Pradesh Gazette, appoint:-

2. Definitions - In this Act, unless the context otherwise requires: -

- (a) 'Appellate Authority' means the Commissioner of Endowments, Andhra Pradesh;
- (b) 'Deity' means Sri Varaha Lakshmi Narasimha Swamy, Simhachalam;
- (c) 'Notification' means notification published in the Andhra Pradesh Gazette and the word 'notified' shall be construed, accordingly;
- (d) 'Panchagramalu' means five villages viz., Adavivaram and Venkatapuram of Visakhapatnam (Rural) Mandal, Vepagunta, Purushothapuram and Cheemalapalli of Pendurthi Mandal in Visakhapatnam District;
- (e) 'Pre-determined Occupant' means a person whose name or his ancestor's name is recorded upto the year 2008 as occupant/enjoyer/encroacher of house or house site in any official records like Registered Sale Deed, Proceedings & Reports of Cabinet Sub Committee, Government Orders, Records of Endowment Department/Sri Varaha Lakshmi Narasimha Swamy Devasthanam or any other such record of statutory/official nature;
- (f) 'Prescribed' means prescribed by rules made under this Act;
- (g) 'Regularization of Occupation by way of House or House Sites' means Transfer of Right on the land occupied by the occupant by way of house or house site for which the title held with said Deity, on payment of market value as per Section 5.

CHAPTER – II
REGULARIZATION OF PRE-DETERMINED OCCUPANCY

3. Regularisation of occupations of Pre-determined occupants - (1) Any person who is a pre-determined occupant in any of the "Panchagramalu" shall be issued a certificate of occupation by the authority concerned as may be prescribed.

(2) A person who is issued a certificate of occupation shall be entitled for regularisation of his occupation.

(3) Every such person shall make an application for regularisation of his occupation to the authority as may be prescribed.

CHAPTER – III

PROCEDURE FOR APPLICATION FOR REGULARIZATION OF OCCUPATION AND FIXATION OF AMOUNT

4. Procedure for filing Application - The Procedure for filing application together with documents, verification, consideration & disposal of applications and payment of amount shall be such, as may be prescribed.

5. Fixation of rate of Regulation - (1) Government shall notify the rates to be collected from the occupants towards regularisation of occupation taking in to consideration, the recommendations of the committee consisting of the District Collector, Chairman, Joint Collector, Member and Executive Officer of Sri Simhachalam Varaha Lakshmi Narasimha Swamy Devasthanam, Member Convener constituted for the purpose.

(2) The Devasthanam shall be compensated by way of transfer of an equivalent extent of land by the Government.

CHAPTER – IV

FILING OF APPEALS AND REVISION PETITIONS

6. Appeals - (1) Every applicant who is aggrieved with the decision taken by the Committee on his claim of occupation may prefer an appeal within 60 days from the date of decision of the Committee before the appellate authority. However, the Appellate authority can condone the delay, if the authority is satisfied with the reasons furnished by the appellant for filing the appeal.

(2) The Appellate authority shall dispose of the same after giving reasonable opportunity to the appellant to prove his claim and shall dispose of the same on merits within a period of 90 days from the date of Appeal.

CHAPTER – V

MISCELLANEOUS

7. Act to override the other Law - Unless otherwise expressly provided in this Act, the provisions of this Act and of any orders and rules made there under shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of such law.

8. Bar of Legal Proceedings - No suit, prosecution or proceedings shall lie in any court against any authority, committee or officer or person for any act done or purporting to be done under or in pursuance of the Act or the rules or orders issued there under.

9. Protection of Action taken in good faith - No suit, prosecution or other legal proceedings shall lie against the State Government or any person for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder.

10. Punishment for Furnishing of false information - Any person who furnishes false information or information which has reason to believe not to be true, will be prosecuted as per the provisions of Section 177 of the Indian Penal Code, 1860.(Central Act No.45 of 1860).

11. Power to remove difficulties - If any difficulty arises in giving effect to the provisions of this Act, the Government may make such orders not inconsistent with the said provisions as appeared to them to be necessary or expedient for the purpose of removing the difficulty.

12. Power to make rules -(1) The Government may, by notification in the Andhra Pradesh Gazette make rules to carry out the purpose of this Act.

(2) Every Rule made under this Section shall immediately after it is made, be laid before each house of the State Legislature if it is in session, if it is not in session, in the session immediately following for a total period of 14 days which may be comprised in two session or in two successive sessions, and it before expiration of the session and which it is so laid or the sessions immediately following both Houses agree in making any modification in the rule or in the annulment of the rule, the rule shall not have effect only in such modified form or shall stand annulled as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

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