

**A BILL TO PROVIDE FOR DECENTRALISATION OF GOVERNANCE AND INCLUSIVE DEVELOPMENT OF ALL THE REGIONS OF THE STATE OF ANDHRA PRADESH AND FOR PROVIDING FOR ESTABLISHMENT OF ZONAL PLANNING AND DEVELOPMENT BOARDS APART FROM PROVISIONS FOR THE SEATS OF GOVERNANCE IN DIFFERENT REGIONS OF THE STATE AND FOR MATTERS ANCILLARY THERETO.**

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**

Short title,  
application and  
commencement.

1. (1) This Act may be called the Andhra Pradesh Decentralisation and Inclusive Development of All Regions Act, 2020.
- (2) It shall apply to the whole of the State of Andhra Pradesh.
- (3) It shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires,-
  - (a) Board means the Zonal Planning and Development Board constituted under the Rules as may be prescribed under this Act;
  - (b) Government means the Government of Andhra Pradesh.

**CHAPTER -II**  
**ZONES**

Local Zones  
for Planning  
and  
Development.

3. The State Government, may by notification, demarcate the entire area of the State into such number of Zones as may be notified by defining the limits of such Zones.

Zonal  
Planning and  
Development  
Board

4. (1) The Government shall by rules made in this behalf, shall provide for establishment of zonal planning and development boards for the zones created under Section 3 of the Act.
- (2) The Government shall prescribe rules under the provisions of the Act providing for the composition of the Board and the procedure regulating its business consistent with the purposes of this Act.

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Powers of the Zonal Planning and Development Boards.

5. (1) The Government shall entrust to the Boards such other powers as it may consider necessary to carry out the provisions of this Act.

(2) Without prejudice to the generality of the aforesaid, the power of the Board may include,-

- (a) calling for reports and information from the officials of the State Government and its instrumentalities within that zone;
- (b) ensuring the preparation, supervision and implementation of development plans of that Zone; and
- (c) reviewing the implementation of the development plans of that Zone.

Functions of the Zonal Planning and Development Boards.

6. (1) The Government may entrust to the Boards such functions as it may consider necessary to give effect to the objectives of this Act.

(2) Without prejudice to the generality of the aforesaid, the functions of the Board may extend to,-

- (a) preparation of the Zonal Development plan and project plans;
- (b) co-ordinate the supervision and implementation of Zonal Development plans, and project plans;
- (c) to secure and oversee, the financing of Development plans in that zone; and
- (d) to recommend in particular such measures as may be considered necessary to accelerate the pace of development of the backward areas within that zone.

### CHAPTER - III SEATS OF GOVERNANCE

Seats of Governance.

7. (1) To enable a decentralised model of governance and to provide an inclusive governance in the State there shall be three (3) Seats of Governance in the State of Andhra Pradesh, to be called as 'Capital(s)' as under :

(i) Amaravati Metropolitan Region Development Area (hereinafter referred to as Amaravati) to be called as the 'Legislative Capital'

(ii) Visakhapatnam Metropolitan Region Development Area (hereinafter referred to as Visakhapatnam) to be called as the 'Executive Capital'; and

(iii) Kurnool Urban Development Area (hereinafter referred to as Kurnool) to be called as the 'Judicial Capital'.

(2) The above regions shall be construed by the notifications issued under the provisions of the Andhra Pradesh Metropolitan Region and Urban Development Authorities Act, 2016.

Establishments to be located.

8. The State Government shall endeavour to locate all the Institutions of the State, the State Department(s) and the instrumentalities of the State in the three Capital(s) under Section 7. Without prejudice to the generality of the foregoing the State shall, as far as practicable, seek to ensure the following:

- (i) The seat of Legislature shall be at the Legislative Capital of Amravathi;
- (ii) The RajBhawan, Secretariat and Offices of the Heads of the Departments of Government shall be located at the Executive Capital of Visakapatnam;
- (iii) The Seat of all State Judicial Institutions established under State legislations, shall, as far as practicable, be located in the Judicial Capital of Kurnool;
- (iv) The Government shall initiate steps to seek relocation of the Principal Seat of High Court of Andhra Pradesh to the Judicial Capital of Kurnool and for constitution of bench(es) of the High Court of Andhra Pradesh in accordance with the procedure prescribed under the Andhra Pradesh Reorganisation Act, 2014;

Provided that nothing in this Section shall prevent the Government from locating any Institution or Department(s) of Government in any Seat of Administration that may be at variance with the above or in any area other than the Seats of Authority in any special circumstances for reasons to be recorded in writing.

**CHAPTER – IV  
MISCELLANEOUS**

Finance.

9. The State Government shall ensure that all financial requirements for achieving the objectives of this Act, be made available as and when the occasion arises.

Act to override other laws.

10. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

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Power to  
remove  
difficulties.

**11.** (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this Section shall be laid, as soon as may be after it is made, before each House of Legislature.

Power to  
make rules.

**12.** (1) The Government may by notification in the Andhra Pradesh Gazette, make rules to carry out all or any of the purposes of this Act,

(2) Every rule made under this Act shall immediately after it is made, be laid before the State Legislature if it is in session, and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following, the Legislature agree in making any modifications in the rule or in the annulment of the rule, the rule shall, with effect from the date of notification of such modification or annulment in the Andhra Pradesh Gazette is notified have effect only in such modify 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.

CHAPTER - IV  
MISCELLANEOUS

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## STATEMENT OF OBJECTS AND REASONS

The formation of the State of Andhra Pradesh in the year 1956 was one of the tumultuous events of the time. The State so constituted did not cater to the aspirations of all the people of the State was reflected in the Telangana Agitation of 1969, Jai Andhra Movement in 1971 and the events leading to another Telangana Agitation in the early part of the 21<sup>st</sup> century. The events culminating in the further division of the State of A.P. into Telangana and residuary State of Andhra Pradesh vide A.P. Re-organisation Act, 2014 indicated that the State failed to integrate the people of the State from all regions, culturally, emotionally and in sharing the fruits of development.

Soon after the bifurcation of the State, the manner in which the decision to locate the Capital of the State was arrived without regard to the recommendations of a Statutory Committee such as K.S. Sivaramakrishnan Committee appointed under Section 6 of the A.P Re-organisation Act, 2014 become controversial. The model of governance adopted was in replication of the same pattern which was followed in the unified State of Andhra Pradesh with all seats of governance and development patterns limited to a capital region, aimed at creation of a 'honeypot' as referred to in Sivaramakrishnan Committee report to the deprivation of economic development of other regions.

The Government of Andhra Pradesh, to ensure equitable and decentralised development to all the regions, have constituted an Expert committee vide G.O.Rt No. 585/MA&UD dt. 13.09.2019 with the terms of reference to take a review of the development plans initiated so far and suggest comprehensive development strategy for all-round development of the State including the capital. Simultaneously the Government awarded the project to M/s. Boston Consultancy Group (India) Private Limited for formulation of a comprehensive growth strategy, develop the roadmap and strategic programme management support for the State of Andhra Pradesh.

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Upon the receipt of the report of the Expert committee and the report of the Boston Consultancy Group the Government have appointed a High Power Committee by G.O. Ms. No. 159/GAD (Cabinat-I) dt.29.12.2019 to examine their recommendations.

The High Power Committee Considering the reports of all the committees including Sivaramakrishnan Committee and after through deliberations and also listening to the farmers and other stake holders have finalised and submitted its report on 17.1.2020. The High Power Committee inter alia, opined as under:

- (i) Historically the three regions of the residual State of A.P. had distinct and different socio-economic cultural and developmental dimensions.
- (ii) Regional imbalances, absence of equitable growth have caused an acute sense of deprivation amongst various sections of the State population leading to disturbances in the State.
- (iii) The logical solution would be to lay emphasis on distributed development and decentralized administration to ensure that the fruits of the socio economic progress are enjoyed equally by people of various regions.
- (iv) The Committee laid stress on honouring historical commitments and balancing regional aspirations duly respecting the regional aspirations of all the regions of the State.

Keeping in view of the limited financial resources and economic means, the High Power Committee opines that deploying all the resources in one small region of 217 Sq. Kms is not advisable and would not address the wishes of backward areas. Further, it is inconsistent with the philosophy of decentralized and inclusive development.

The Council of Ministers, after a thorough examination of the report and recommendations of the HPC, have resolved to accept the recommendations and provide the legislative support and the statutory backing necessary for the said purpose.

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Article 38 of the Constitution envisages that the State shall direct its policy, among other things, towards securing inclusive development of all regions of the State. To give effect to this constitutional provision, the State of Andhra Pradesh is bringing forth this legislation, for distribution of all state functions among all the regions and decentralisation of the various Institutions of the State, its departments, its instrumentalities etc. in its efforts for ensuring balanced and inclusive growth of the State of Andhra Pradesh.

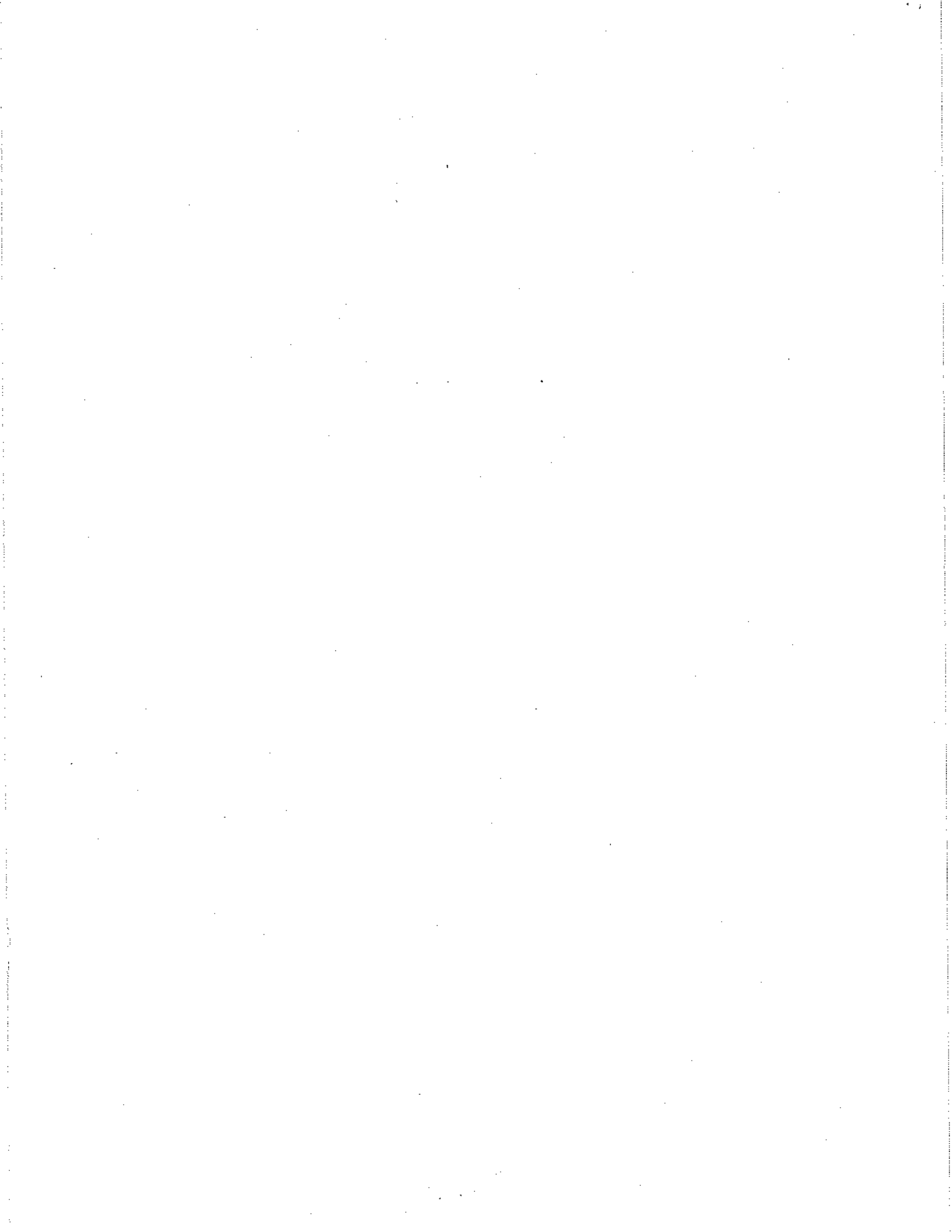
Towards achieving decentralised and inclusive development of all regions, the Government have already taken decisions in this direction. In order to operationalise the agenda for decentralisation and inclusive development, village and ward Secretariats have been constituted for rural and urban local self governance respectively. Further, the government is also planning to reorganise the existing districts in the state, so as to have the same number of districts as are parliamentary constituencies.

Accordingly, Government have decided to undertake a specific new legislation for Decentralisation and Inclusive Development of All Regions in the State.

The Bill seeks to give effect to the above decisions.

BUGGANA RAJENDRANATH  
Minister for Finance, Planning and Legislative Affairs







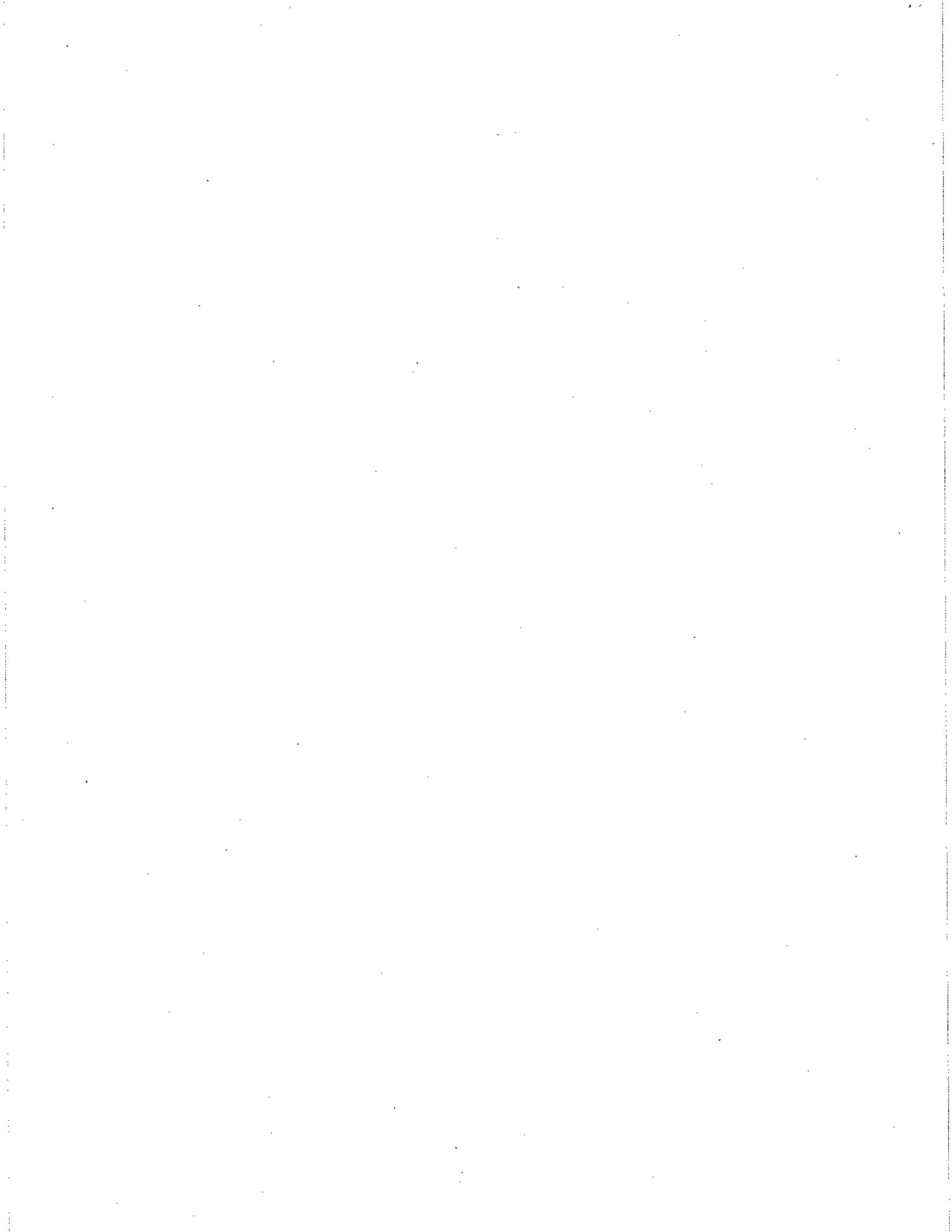
## **MEMORANDUM REGARDING DELEGATED LEGISLATION**

Clauses 2, 3, 4, 5, 6, 8 and 10 of the Bill authorizes the Government to issue notifications in respect of the matters specified therein and generally to carry out the purposes of the Act.

As such the notifications issued, which is intended to cover matters mostly of procedural in nature is to be laid on the table of the both Houses of the State Legislature and will be subject to any modifications made by the Legislature.

The above provisions of the Bill regarding delegated legislation are thus of normal type and mainly intended to cover matters of procedure.

**BUGGANA RAJENDRANATH**  
Minister for Finance, Planning and Legislative Affairs



**MEMORANDUM UNDER RULE 95 OF THE RULES OF PROCEDURE  
AND CONDUCT OF BUSINESS IN THE ANDHRA PRADESH  
LEGISLATIVE ASSEMBLY.**

The Andhra Pradesh Decentralisation and Inclusive Development of All Regions Bill 2020, after it is passed by the Legislature of the State may be submitted to the Governor for his assent under article 200 of the Constitution of India.

BUGGANA RAJENDRANATH  
Minister for Finance, Planning and Legislative Affairs

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